

United States to provide funds for the payment of the Federal Government's share of the assessment levied against property owners in the benefited district for the widening and improvement of East Fifth Street in Cincinnati, and to provide funds annually for the payment of boulevard light assessments along its property on the same basis as other property owners; to the Committee on Appropriations.

3717. By Mr. FORD of California: Resolution of the Board of Supervisors of the County of Los Angeles, protesting to the National Resources Committee toward having a cloud placed upon the worthiness and need of the flood control and water conservation projects of the county of Los Angeles as covered in the authorization bill of June 22, 1936, by the statements or action of any Federal agency not in possession of the true facts, and requesting that the National Resources Committee expunge the statements of Mr. White from the record of the Chicago meeting so that they may not later be encountered as an obstacle in the county's attempts to secure Federal aid for the completion of these projects on the same footing as all other communities in the United States having authorized projects under the same act; to the Committee on the Judiciary.

3718. Also, resolution of the Board of Supervisors of Kern County, Calif., urging that everything possible be done to expedite the start of construction work on the southern end of the Central Valley project, so as to provide much needed work for thousands of people now in need of jobs and to restore credit to lands now deprived of the same for lack of a stable water supply; to the Committee on Appropriations.

3719. By Mr. MERRITT: Resolution of the Greenpoint Post, No. 241, of the American Legion, Kings County, N. Y., protesting against the United States entering into reciprocal-trade agreements and concessions with Czechoslovakia or with any other foreign country which will permit foreign-made goods manufactured under prevailing foreign conditions of low wages and long hours to be sold in competition with American-made goods manufactured under conditions which permit the high American standard of living and labor; to the Committee on Foreign Affairs.

3720. By Mr. MURDOCK of Utah: Petition of the Uintah Basin Railroad League, Moffat Tunnel League; to the Committee on Interstate and Foreign Commerce.

3721. By Mr. SADOWSKI: Petition of Local No. 155, United Automobile Workers of America, Detroit, Mich., endorsing expansion of the Works Progress Administration, comprehensive minimum wages and maximum hours bill, farm legislation, housing program, regional Tennessee Valley Authority, and curbing of high monopoly prices; to the Committee on Appropriations.

3722. Also, petition of Local Union No. 58 of the International Brotherhood of Electrical Workers, Detroit, Mich.; to the Committee on Appropriations.

3723. By Mr. SUTPHIN: Petition of grand lodge officers of the grand lodge, Knights of Pythias of New Jersey, urging adoption of an amendment now before Congress exempting fraternal organizations from the provisions of the Social Security Act; to the Committee on Ways and Means.

3724. By the SPEAKER: Petition of the Board of Supervisors of Milwaukee County, Wis., petitioning consideration of their resolution dated December 14, 1937; to the Committee on Appropriations.

SENATE

THURSDAY, JANUARY 6, 1938

(Legislative day of Wednesday, January 5, 1938)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

H. STYLES BRIDGES, a Senator from the State of New Hampshire, appeared in his seat today.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar

day Wednesday, January 5, 1938, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed without amendment the bill (S. 2575) to increase the efficiency of the Coast Guard.

The message also announced that the House had passed the bill (S. 1485) to prohibit the making of photographs, sketches, or maps of vital military and naval defensive installations and equipment, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 7158. An act to except yachts, tugs, towboats, and unriggered vessels from certain provisions of the act of June 25, 1936, as amended;

H. R. 7803. An act to amend paragraph (1) of section 96 of title 2 of the Canal Zone Code relating to method of computing annuities; and

H. R. 8236. An act authorizing the Secretary of the Treasury to exchange sites at Miami Beach, Dade County, Fla., for Coast Guard purposes.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Dieterich	Lewis	Pepper
Ashurst	Donahey	Lodge	Pittman
Bailey	Duffy	Logan	Pope
Bankhead	Ellender	Louderman	Reynolds
Barkley	Frazier	Lundeen	Russell
Berry	George	McAdoo	Schwartz
Borah	Gibson	McCarran	Schwellenbach
Bridges	Gillette	McGill	Sheppard
Brown, Mich.	Glass	McKellar	Shipstead
Bulkley	Graves	McNary	Smathers
Bulow	Guffey	Maloney	Smith
Byrd	Harrison	Miller	Steiwer
Byrnes	Hatch	Minton	Thomas, Utah
Capper	Hayden	Moore	Townsend
Caraway	Herring	Murray	Truman
Chavez	Hitchcock	Neely	Tydings
Clark	Holt	Norris	Vandenberg
Connally	Johnson, Colo.	Nye	Van Nuys
Copeland	King	O'Mahoney	Wagner
Davis	La Follette	Overton	Wheeler

Mr. MINTON. I announce that the Senator from Rhode Island [Mr. GREEN] and the Senator from Delaware [Mr. HUGHES] are absent from the Senate because of illness.

The Senator from Washington [Mr. BONE] and the Senator from Maryland [Mr. RADCLIFFE] are absent because of deaths in their families.

The Senator from Nebraska [Mr. BURKE] is absent on official business as a member of the committee appointed to investigate certain conditions in Puerto Rico.

The Senator from Florida [Mr. ANDREWS], the Senator from Mississippi [Mr. BILBO], the Senator from New Hampshire [Mr. BROWN], the junior Senator from Oklahoma [Mr. LEE], and the senior Senator from Oklahoma [Mr. THOMAS] are unavoidably detained from the Senate.

Mr. GIBSON. I announce that my colleague the senior Senator from Vermont [Mr. AUSTIN] is necessarily absent, on official business, by reason of service on a subcommittee of the Judiciary Committee of the Senate.

The VICE PRESIDENT. Eighty Senators have answered to their names. A quorum is present.

PROHIBITION OF PHOTOGRAPHS, ETC., OF MILITARY AND NAVAL INSTALLATIONS

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 1485) to prohibit the making of photographs, sketches, or maps

of vital military and naval defensive installations and equipment, and for other purposes, which were, on page 2, line 5, after "shall", to insert "upon conviction", and on page 3, line 2, after "shall", to insert "upon conviction."

Mr. SHEPPARD. I move that the Senate concur in the House amendments.

The motion was agreed to.

REPORT OF NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read and referred to the Committee on Naval Affairs, as follows:

To the Congress of the United States:

In compliance with the provisions of the act of March 3, 1915, establishing the National Advisory Committee for Aeronautics, I transmit herewith the twenty-third annual report of the Committee covering the fiscal year ended June 30, 1937.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 6, 1938.

(NOTE.—Report accompanied similar message to the House of Representatives.)

REPORT OF THE GOVERNOR OF THE PANAMA CANAL

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on Inter-oceanic Canals, as follows:

To the Congress of the United States:

I transmit herewith, for the information of the Congress, the annual report of the Governor of the Panama Canal for the fiscal year ended June 30, 1937.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 5, 1938.

REPORT OF NATIONAL LABOR RELATIONS BOARD

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the National Labor Relations Board, transmitting, pursuant to law, the annual report of the Board for the fiscal year ended June 30, 1937, together with volume II of the decisions and a list of the personnel employed by the Board, which, with the accompanying report, was referred to the Committee on Education and Labor.

REPORT OF NATIONAL BOARD FOR PROMOTION OF RIFLE PRACTICE

The VICE PRESIDENT laid before the Senate a letter from the Secretary of War, transmitting, pursuant to law, the annual report of the activities of the National Board for the Promotion of Rifle Practice for the fiscal year ended June 30, 1937, which, with the accompanying report, was referred to the Committee on Military Affairs.

REPORT OF RECONSTRUCTION FINANCE CORPORATION

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Reconstruction Finance Corporation, transmitting, pursuant to law, report of the Corporation for the month of November 1937, including statement of loan and other authorizations made during the month, showing the name, amount, and rate of interest or dividend in each case, which, with the accompanying report, was referred to the Committee on Banking and Currency.

WIRE OR RADIO COMMUNICATION LEGISLATION

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Federal Communications Commission, transmitting, pursuant to law, report on the subject of whether or not any new wire or radio communication legislation is required better to insure safety of life and property, which was referred to the Committee on Interstate Commerce.

LAWS OF MUNICIPAL COUNCIL OF ST. CROIX, VIRGIN ISLANDS

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Interior, transmitting, pursuant to law, copies of laws enacted by the Municipal Council of St. Croix at recent meetings, which, with the accom-

panying papers, was referred to the Committee on Territories and Insular Affairs.

REPORT OF UNITED STATES COURT OF CUSTOMS AND PATENT APPEALS

The VICE PRESIDENT laid before the Senate a letter from the Attorney General, transmitting, pursuant to law, a report of the expenditures under appropriations for the United States Court of Customs and Patent Appeals for the fiscal year ended June 30, 1937, which, with the accompanying report, was referred to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a telegram from the Dearborn (Mich.) Pioneers Club, expressing confidence in the policies of Henry Ford, which was ordered to lie on the table.

Mr. BULKLEY presented a resolution of the House of Representatives of the State of Ohio, memorializing the President and Congress to continue the Works Progress Administration in Ohio, which was referred to the Committee on Education and Labor.

(See resolution printed in full when laid before the Senate by the Vice President on the 5th instant, p. 54, CONGRESSIONAL RECORD.)

Mr. SHEPPARD presented a resolution adopted by the Centerview Baptist Church Sunday School, of Jayton, Tex., favoring the enactment of House Joint Resolution 199, proposing an amendment to the Constitution of the United States to provide for a referendum on war, which was referred to the Committee on the Judiciary.

Mr. TYDINGS presented memorials of sundry citizens of the States of Maryland and Pennsylvania, remonstrating against the enactment of legislation imposing any excise or processing taxes on food products, which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry citizens of Baltimore, Md., praying for the enactment of the bill (H. R. 2257) to provide old-age compensation for the citizens of the United States, and for other purposes, which was referred to the Committee on Finance.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMATHERS:

A bill (S. 3177) to provide for the appointment of an additional district judge for the district of New Jersey; to the Committee on the Judiciary.

By Mr. McKELLAR:

A bill (S. 3178) for the relief of Joy Montgomery (with accompanying papers); to the Committee on Claims.

A bill (S. 3179) granting a pension to Lettie N. Cooper (with accompanying papers); to the Committee on Pensions.

By Mr. NEELY:

A bill (S. 3180) for the relief of E. W. Jones; to the Committee on Claims.

By Mr. FRAZIER:

A bill (S. 3181) for the relief of Leslie Truax; to the Committee on Claims.

By Mr. BAILEY:

A bill (S. 3182) for the relief of L. D. Harper; to the Committee on Claims.

By Mr. DUFFY:

A bill (S. 3183) to authorize the conveyance of the old lighthouse keeper's residence in Manitowoc, Wis., to the Otto Oas Post, No. 659, Veterans of Foreign Wars of the United States, Manitowoc, Wis.; to the Committee on Commerce.

By Mr. BARKLEY:

A bill (S. 3184) to provide for the establishment of a commissary or vending stand in the Washington Asylum and Jail; to the Committee on the District of Columbia.

By Mr. BULOW:

A bill (S. 3185) for the relief of Fred G. Davis; to the Committee on Claims.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated below:

H. R. 7158. An act to except yachts, tugs, towboats, and unrigged vessels from certain provisions of the act of June 25, 1936, as amended; and

H. R. 8236. An act authorizing the Secretary of the Treasury to exchange sites at Miami Beach, Dade County, Fla., for Coast Guard purposes; to the Committee on Commerce.

H. R. 7803. An act to amend paragraph (1) of section 96 of title 2 of the Canal Zone Code relating to method of computing annuities; to the Committee on Inter-oceanic Canals.

PREVENTION OF AND PUNISHMENT FOR LYNCHING—AMENDMENT

Mr. BANKHEAD submitted an amendment intended to be proposed by him to the bill (H. R. 1507) to assure to persons within the jurisdiction of every State the equal protection of the laws and to punish the crime of lynching, which was ordered to lie on the table and to be printed.

INVESTIGATION OF EXISTING PROFIT-SHARING SYSTEMS

Mr. VANDENBERG submitted a resolution (S. Res. 215), which was referred to the Committee on Finance, as follows:

Whereas the maintenance of the profit system is essential to the preservation of the competitive capitalistic system under which the United States has attained the largest measure of general economic welfare enjoyed by any people in the world; and

Whereas the exploration of all available means for extending the direct benefits of the profit system to the largest possible number of citizens is highly desirable and important:

Resolved, That the Senate Finance Committee, or any subcommittee thereof, is authorized and directed to make a complete study of and report upon all existing profit-sharing systems, between employers and employees, now operative in the United States with a special view (a) to the preparation of an authentic record of experience which may be consulted by employers who are interested in voluntarily establishing profit-sharing plans; (b) to the consideration of what advisable contribution, if any, may be made to the encouragement of profit sharing by the Federal Government, including the grant of compensatory tax exemptions and tax rewards when profit sharing is voluntarily established; (c) to the consideration of any other recommendations which may prove desirable in pursuit of these objectives.

Resolved further, For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate, during the Seventy-fifth and succeeding Congresses; to employ such experts and clerical, stenographic, and other assistants; to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents; to administer such oaths and to take such testimony and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expense of the committee, or any duly authorized subcommittee, which shall not exceed \$50,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, or any duly authorized subcommittee thereof.

THE MEANING OF THE ROOSEVELT ADMINISTRATION TO THE PEOPLE—ADDRESS BY SENATOR LEWIS

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a radio address on the subject Meaning of the Roosevelt Administration to the People, delivered by Senator LEWIS on the evening of January 5, 1938, which appears in the Appendix.]

FEDERAL INCORPORATION—ARTICLES BY GUSTAVE SIMONS

[Mr. O'MAHONEY asked and obtained leave to have printed in the RECORD two articles by Gustave Simons, published in the Christian Science Monitor, dealing with the subject of a Federal system of charters for corporations engaged in interstate commerce, which appear in the Appendix.]

PREVENTION OF AND PUNISHMENT FOR LYNCHING

The VICE PRESIDENT. By order of the Senate, today the Senate is to proceed to the consideration of what is known as the antilynching bill.

The Senate resumed consideration of the bill (H. R. 1507) to assure to persons within the jurisdiction of every State the equal protection of the laws and to punish the crime of lynching.

The VICE PRESIDENT. The clerk will state the amendment reported by the Committee on the Judiciary, which is in the nature of a substitute for the House bill and will be considered as an original bill for the purpose of amendment.

The CHIEF CLERK. It is proposed by the committee to strike out all after the enacting clause and insert the following:

That the provisions of this act are enacted in exercise of the power of Congress to enforce, by appropriate legislation, the provisions of the fourteenth amendment of the Constitution of the United States and for the purpose of better assuring under said amendment equal protection to the lives and persons of citizens and due process of law to all persons charged with or suspected or convicted of any offense within the jurisdiction of the several States. A State shall be deemed to have denied to any victim or victims of lynching equal protection and due process of law whenever that State or any legally competent governmental subdivision thereof shall have failed, neglected, or refused to employ the lawful means at its disposal for the protection of that person or those persons against lynching or against seizure and abduction followed by lynching.

SEC. 2. Any assemblage of three or more persons which shall exercise or attempt to exercise by physical violence and without authority of law any power of correction or punishment over any citizen or citizens or other person or persons in the custody of any peace officer or suspected of, charged with, or convicted of the commission of any offense, with the purpose or consequence of preventing the apprehension or trial or punishment by law of such citizen or citizens, person or persons, shall constitute a "mob" within the meaning of this act. Any such violence by a mob which results in the death or maiming of the victim or victims thereof shall constitute "lynching" within the meaning of this act: *Provided, however*, That "lynching" shall not be deemed to include violence occurring between members of groups of lawbreakers such as are commonly designated as gangsters or racketeers, nor violence occurring during the course of picketing or boycotting or any incident in connection with any "labor dispute" as that term is defined and used in the act of March 23, 1932 (47 Stat. 70).

SEC. 3. Whenever a lynching of any person or persons shall occur, any officer or employee of a State or any governmental subdivision thereof who shall have been charged with the duty or shall have possessed the authority as such officer or employee to protect such person or persons from lynching and shall have willfully neglected, refused, or failed to make all diligent efforts to protect such person or persons from lynching and any officer or employee of a State or governmental subdivision thereof who shall have had custody of the person or persons lynched and shall have willfully neglected, refused, or failed to make all diligent efforts to protect such person or persons from lynching, and any officer or employee of a State or governmental subdivision thereof who, having the duty as such officer or employee, shall willfully neglect, refuse, or fail to make all diligent efforts to apprehend, keep in custody, or prosecute the members or any member of the lynching mob, shall be guilty of a felony and upon conviction thereof shall be punished by a fine not exceeding \$5,000 or by imprisonment not exceeding 5 years, or by both such fine and imprisonment.

SEC. 4. Whenever a lynching of any person or persons shall occur, and information on oath is submitted to the Attorney General of the United States that any officer or employee of a State or any governmental subdivision thereof who shall have been charged with the duty or shall have possessed the authority as such officer or employee to protect such person or persons from lynching, or who shall have had custody of the person or persons lynched, has willfully neglected, refused, or failed to make all diligent efforts to protect such person or persons from lynching or that any officer or employee of a State or governmental subdivision thereof, in violation of his duty as such officer or employee, has willfully neglected, refused, or failed to make all diligent efforts to apprehend, keep in custody, or prosecute the members or any member of the lynching mob, the Attorney General of the United States shall cause an investigation to be made to determine whether there has been any violation of this act.

SEC. 5. (1) Every governmental subdivision of a State to which the State shall have delegated functions of police shall be responsible for any lynching occurring within its territorial jurisdiction. Every such governmental subdivision shall also be responsible for any lynching occurring outside of its territorial jurisdiction, whether within or without the same State, which follows upon the seizure and abduction of the victim or victims within its territorial jurisdiction. Any such governmental subdivision which shall fail to prevent any such lynching or any such seizure and abduction followed by lynching shall be liable to each person injured, or to his or her next of kin if such injury results in death, for a sum not less than \$2,000 and not more than \$10,000 as monetary compensation for such injury or death: *Provided, however*, That the governmental subdivision may prove by a preponderance of evidence as an affirmative defense that the officers thereof charged with the duty of preserving the peace, and citizens thereof when called upon by any such officer, used all diligence and all powers vested in them for the protection of the person lynched: *And provided further*, That the satisfaction of judgment against one governmental subdivision responsible for a lynching shall bar further

proceedings against any other governmental subdivision which may also be responsible for that lynching.

(2) Liability arising under this section may be enforced and the compensation herein provided for may be recovered in a civil action in the United States district court for the judicial district of which the defendant governmental subdivision is a part. Such action shall be brought and prosecuted by the Attorney General of the United States or his duly authorized representative in the name of the United States for the use of the real party in interest, or, if the claimant or claimants shall so elect, by counsel employed by the claimant or claimants, but in any event without prepayment of costs. If the amount of any such judgment shall not be paid upon demand, payment thereof may be enforced by any process available under the State law for the enforcement of any other money judgment against such a governmental subdivision. Any officer of such governmental subdivision or any other person who shall disobey or fail to comply with any lawful order or decree of the court for the enforcement of the judgment shall be guilty of contempt of that court and punished accordingly. The cause of action accruing hereunder to a person injured by lynching shall not abate with the subsequent death of that person before final judgment but shall survive to his or her next of kin. For the purpose of this act the next of kin of a deceased victim of lynching shall be determined according to the laws of interstate distribution in the State of domicile of the decedent. Any judgment or award under this act shall be exempt from all claims of creditors.

(3) Any judge of the United States district court for the judicial district wherein any suit shall be instituted under the provisions of this act may by order direct that such suit be tried in any division of such district as he may designate in such order.

Sec. 6. The essential purpose of this act being the furtherance of protection of the lives and persons of citizens and other persons against unlawful and violent interference with or prevention of the orderly processes of justice, and equal protection and due process of law, and against possible dereliction of duty in this respect by States, or any governmental subdivision thereof, or any officer or employee of either a State or governmental subdivision thereof. Therefore if any particular provision, sentence, or clause, or provisions, sentences, or clauses of this act, or the application thereof to any particular person or circumstance, is held invalid, the remainder of this act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

Mr. McKELLAR. Mr. President, I understand that the Senator from North Carolina [Mr. REYNOLDS] desires to discuss the bill at this time, but for the moment he is not in his seat. I therefore suggest the absence of a quorum.

Mr. LEWIS. Mr. President, may I tender an amendment before that is done?

Mr. McKELLAR. Yes; I withhold the suggestion for that purpose.

Mr. LEWIS. By consent of the Senator from Tennessee, allowing me to interrupt him, I call attention to page 7 of the bill. Beginning with line 9, I move to strike out of the committee amendment the following words:

Provided, however, That "lynching" shall not be deemed to include violence occurring between members of groups of lawbreakers such as are commonly designated as gangsters or racketeers, nor violence occurring during the course of picketing or boycotting or any incident in connection with any "labor dispute" as that term is defined and used in the act of March 23, 1932 (47 Stat. 70).

The lines which I have just read, concluding the paragraph, I move to strike from the amendment of the committee.

The VICE PRESIDENT. The motion of the Senator from Illinois is in order and will be the pending question. The Senator from Tennessee [Mr. McKELLAR] suggests the absence of a quorum. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Clark	Hatch	McKellar
Ashurst	Connally	Hayden	McNary
Bailey	Copeland	Herring	Maloney
Bankhead	Davis	Hitchcock	Miller
Barkley	Dieterich	Holt	Minton
Berry	Donahay	Johnson, Colo.	Moore
Borah	Duffy	King	Murray
Bridges	Ellender	La Follette	Neely
Brown, Mich.	Frazier	Lewis	Norris
Bulkeley	George	Lodge	Nye
Bulow	Gibson	Logan	O'Mahoney
Byrd	Gillette	Loneragan	Overton
Byrnes	Glass	Lundeen	Pepper
Capper	Graves	McAdoo	Pittman
Caraway	Guffey	McCarran	Pope
Chavez	Harrison	McGill	Reynolds

Russell
Schwartz
Schwellenbach
Sheppard

Shipstead
Smathers
Smith
Steiwer

Thomas, Utah
Townsend
Truman
Tydings

Vandenberg
Van Nuys
Wagner
Wheeler

The PRESIDENT pro tempore. Eighty Senators have answered to their names. There is a quorum present.

Mr. LEWIS. Mr. President, I have moved to strike out of the committee amendment to the bill the provision I have read, touching the question of gangsters, groups of lawbreakers, being exempted from the provisions of the bill, and also those involved in labor disputes. I desire to inform the Senate that our eminent colleagues who are sponsoring the bill accept the amendment, and from them there is no dispute or opposition to it. I therefore tender the amendment without burdening the Senate with having to read it again, or to repeat my statement regarding it.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. LEWIS. I yield to the Senator from Texas.

Mr. CONNALLY. I desire to say to the Senator from Illinois that the authors of the bill have no right to exclude other Senators from discussing the amendment; and while I have high and eminent respect for the good faith and legal ability of the authors of the measure, I do not propose to see their bill emasculated practically without any discussion whatever. So I must ask the Senator to defer action upon the amendment until such time as he cares to address the Senate.

I also call the attention of the Senator to the fact that if his amendment should be adopted labor unions would come under the provisions of the bill; and if the Senator from Illinois brings labor unions and strikes within the jurisdiction of this antilynching bill he is going to meet with very serious objection in certain quarters.

Mr. LEWIS. Let me say to my able friend that he is quite right; it is his privilege to debate this amendment or any other feature of the bill. I am merely calling attention to the fact that since those who wrote the bill, as we understand, consent to have this provision removed from it, that fact excuses me from any further statement other than that which may arise as a result of inquiries from other Members of the Senate. My able friend from Texas has a right to debate the measure.

As to labor unions, I answer the Senator that the provision to which I am referring says:

Any "labor dispute," as that term is defined and used in the act of March 23, 1932.

I dare say my able friend from Texas will realize that that definition is merely to identify under that act the words "labor dispute."

I have submitted the suggestion. I will not burden the Senate with detailed argument. If the able Senator from Texas and others desire to address themselves to the measure, I shall ask for a vote later, and will not attempt to interrupt at this time.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. LEWIS. I yield.

Mr. BARKLEY. The criticism with respect to this provision which has been indulged in thus far has had application only to the wording with respect to gangsters. I do not believe there has been any criticism of the wording which would eliminate labor disputes from the provision about lynching or creating a mob, and I think that in considering the amendment offered by the Senator from Illinois the point made by the Senator from Texas is worthy of consideration, that it is questionable whether difficulties growing out of a labor dispute ought to be included in the bill. For that reason I hope the Senator will give further consideration to the matter. It will be easy to eliminate the language dealing with gangsters without eliminating that dealing with labor disputes.

Mr. LEWIS. Mr. President, I am pleased to inform the distinguished leader, the Senator from Kentucky, that I am informed by the Senator from New York [Mr. WAGNER] that, upon information from sources, it is both desired and consented to that this reference to labor disputes be eliminated. I do not know for whom he speaks, but, of course, I take his word.

Mr. NORRIS. Mr. President, I should like to suggest to the Senator, not having any notice of this motion until this moment, that it would be embarrassing for me, at least, the way I see it, to vote on the motion. It would be a sad mistake, in my judgment, if we should enact this measure and find afterward that we had made it impossible for an organization of labor men to strike without being subjected to the penalties of the law which it is provided shall be inflicted upon a mob. I think we ought to hesitate before we adopt the amendment.

Mr. LEWIS. I am attracted by the observations of the Senator from Kentucky and the Senator from Nebraska, and I take the liberty of asking that this particular amendment pend at present, and I shall not press it to an immediate vote.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. LEWIS. I yield.

Mr. CONNALLY. The Senator from Illinois has just suggested that he privately consulted the Senator from New York [Mr. WAGNER] and that certain influences which were interested have indicated that it is desirable to offer this amendment. Would the Senator from Illinois mind telling me who these mysterious, occult, insidious, and influential interests are which are dominating the Senate without disclosure of who they are or where they are from?

Mr. LEWIS. Mr. President, I am unable to anticipate that there are such things as subterranean and underground influences having control of any Member of the Senate, and as I have none of that occult power to detect such influences as are intimated by the able Senator from Texas I am compelled to say my information is from the two Senators—the Senator from Indiana [Mr. VAN NUYS] and the Senator from New York [Mr. WAGNER], who, I assume, have had their information from a proper and legitimate source, which I am unable to reveal, and I regard it as unnecessary that it should be revealed, further than to take their word.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. LEWIS. I yield.

Mr. CONNALLY. The Senator denies any responsibility for this kind of influences, yet they seem to have been sufficiently potent to influence the Senator from Illinois in his course on the floor of the Senate, he openly and avowedly saying that because of these unknown yet mysterious influences he is willing to modify his own amendment. It would seem to me that the Senator, because of the prestige which he has on this floor and his long and distinguished career, ought at least to know who is pulling these secret strings which are influencing the Senator from Illinois. I care not who is influencing the Senator from New York and the Senator from Indiana, but the Senator from Illinois ought to unmask himself [laughter], legislatively at least, and tell us who it is who can pull a string in some dark chamber in the city and immediately have the Senator from Illinois pop up in his place in the Senate and modify his amendment, without knowing the names of the individuals who thus exert this potent, insidious, and, let me say, Mr. President, dangerous influence on the Senator from Illinois. [Laughter.]

Mr. LEWIS. Mr. President, I must confess I am so imbued with that natural propensity to appropriate to myself such compliments as can come from such eminent source that I cannot deny the statement that I am an influential Senator and that I am rising here with great prestige, as the able Senator from Texas is willing to say. But I desire to say to the Senator from Texas that, so far as I am concerned, I do not know that there are such influences as he intimates. I have never met them; no such influences have approached me; I am unconscious of their existence. I have heard from the able Senator from Indiana [Mr. VAN NUYS] and the able Senator from New York [Mr. WAGNER] the suggestion that those who are interested in that particular phase of the bill do not object to the amendment, and I include it because it is all a part of one paragraph. So far as I am concerned, if the able Senator from Nebraska and the able Senator from Kentucky feel that the language had best be left as it is, then for a while, until the Senators

have discussed the matter, the amendment may go over. I have serious suspicion, by the portents I have gathered from the Senator from Texas, that there is yet discussion to come along on this bill. [Laughter.] For that reason I prefer having the amendment left for a vote at a subsequent time, after thorough contemplation of the subject.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. LEWIS. I yield.

Mr. CONNALLY. Mr. President, the Senator refers to persons who are interested in this particular section of the bill. This is a bill to be enacted, if it shall be enacted, not in behalf of three or four individuals, but in behalf of the people of the United States; not some of them, but all of them; and to have an important measure determined by two or three men off in a cloakroom somewhere or in a telephone booth is to me a marvelous manifestation of the dignity of the United States Senate. I know that there are forms of intellectual radio control, remote control intellectually as well as on the waves of the ether; but I am wondering what kind of dynamo—intellectual dynamo, spiritual dynamo, moral dynamo—can send forth these intellectual ether waves which strike down Senators on the floor of the Senate and make them repudiate their own statements already expressed. What form of death ray is employed, death ray to sincerity of purpose, when someone in a chamber somewhere calls up the Senator from New York and tells him to express to the Senator from Illinois, like a manikin, the wishes of these gentlemen; and then the Senator from Illinois, by one degree still removed from the source of power, like another manikin, leaps to his feet on the floor of the Senate and repudiates what he said a moment ago.

Mr. LEWIS. Mr. President, the able Senator from Texas seems to have, by some gift, a capacity to anticipate conditions of which there is no evidence. However, I will concede that if there are any who have met in a telephone booth and come to conclusions respecting this proposed legislation, we would call that an assembly in close quarters. [Laughter.] If there also be those who can whisper through some unseen source along the trembling wires of uncertainty which we call the ether some message to the Senator from New York, I confess I know nothing of it, but I would envy one who could command from the great ethereal sources such communication.

I say to the Senator from Texas that I represent, with my eminent colleague, the city of Chicago, upon which this particular provision, by some accident, is asserted to make a reflection. I insist that the police powers of my State, the law officers and the peace officers, are able to enforce the laws in their community, and I feel that this particular provision is unworthy because it reflects on them; that it is unnecessary; that it is unjust. But as to the labor-dispute feature, I am unable to give further information to my able colleagues other than that both the distinguished Senators to whom I have referred, since it is all in a single clause, asked to have excluded the whole clause, rather than merely the portion I read concerning gangsters. It reflects on the city of Chicago, and that is my connection with the subject. But I cannot consent that there is that unseen and questionable source which is permeating in some silent manner this honorable body that can centralize itself by passing through the body of the Senator from New York [Mr. WAGNER] and be communicated to me as something in the nature of a new battery.

Mr. CONNALLY. Mr. President, will the Senator yield further?

Mr. LEWIS. I yield.

Mr. CONNALLY. The Senator from Illinois says that the provision on page 7, providing—

That "lynching" shall not be deemed to include violence occurring between members of groups of lawbreakers such as are commonly designated as gangsters or racketeers—

reflects on his constituents in the city of Chicago. I find no mention in the bill of Chicago by name. The authors of the bill say this is not a sectional bill, so there is no reference to

Chicago as such. If there is any reflection on the Senator's constituents, it is simply because he recognizes that the bill under its terms would cover more gangsters and more racketeers in Illinois and Chicago than in any other place. [Laughter.]

Mr. LEWIS. Mr. President, I must say that it has been reported that bands have passed through my city, though they have come from other sections of the country, some of them poorly endowed by their birth, as was disclosed at the time they were being hung in my community. [Laughter.] Nevertheless, I recall the splendid speech of the able Senator from Idaho [Mr. BORAH] alluding to that particular provision being left in the bill, and that the Senator from Tennessee [Mr. McKELLAR] and others about me pointed out that there was an attempted exemption in behalf of those who are called "gangsters." It is because of this reflection upon my community, legitimately made by gentlemen who felt that way and believed that way, that I for one do not wish to have this provision remain in the bill, conscious as I am of the power of my community to preserve the peace and its willingness to preserve the honor of the law within themselves and within the State of Illinois.

I feel the matter should be left to a later time, until Senators may have time to discuss the question, if it interests them sufficiently to discuss it.

Mr. OVERTON. Mr. President, will the Senator from Illinois yield?

Mr. LEWIS. I yield.

Mr. OVERTON. I did not catch the purport of the amendment of the Senator from Illinois, and I desire to ask him whether his amendment is so worded as to include violations occurring between members of groups of lawbreakers. Does the Senator propose to strike out the word "not", in line 10, so that it will read "That 'lynching' shall be deemed to include violence occurring between members of groups of lawbreakers such as are commonly designated as gangsters or racketeers"?

Mr. LEWIS. I am moving to strike out the whole provision beginning with the word "Provided" and ending with the words "47 Stat. 70", because I regard the provision as unnecessary to the bill, and as it refers to those who, eminent Senators say, particularly apply to Chicago, I all the more desire to have it eliminated, as I regard it as a reflection on that community. As to the labor disputes, I leave them out, because Senators feel embarrassment might arise, and I take my cue in the matter from Senators who have given greater consideration to the bill, and I leave it for further discussion.

Mr. OVERTON. May I ask the Senator from Illinois whether the effect of his amendment would be that lynching would include violence occurring between gangsters and violence occurring in labor strikes or disputes? Is it the purpose of the amendment that gangsters will be included in the bill?

Mr. LEWIS. The purpose of the amendment is to strike this provision out so that we may leave it to the jurisdictional power of the sovereign State of Illinois and her peace officers at Chicago, if it be at Chicago, or any other locality where such bands might be found, to take care of themselves under the law.

Mr. OVERTON. Then, when it comes to the matter of gangsters, the Senator from Illinois, by his amendment, desires that any violence, or death, or mayhem occurring should be left to regulation by State authority?

Mr. LEWIS. Completely, to punish them by State authority.

Mr. BYRNES. Mr. President, will the Senator yield to me?

Mr. LEWIS. I yield to the Senator from South Carolina.

Mr. BYRNES. I wish to ask a question of the Senator from Illinois. Who is the author of the amendment?

Mr. LEWIS. Mr. President, may my colleague [Mr. DIETERICH] answer that question?

Mr. BYRNES. Mr. President, I only thought that action ought not to be taken if the author of the amendment was not present.

Mr. LEWIS. Mr. President, does the Senator from South Carolina mean the author of the amendment itself, or the maker of the motion to eliminate certain language from the bill? I ask my colleague [Mr. DIETERICH] to inform the Senator from South Carolina upon the subject concerning which he desires information.

Mr. DIETERICH. Mr. President, I may be able to throw a little light upon this particular amendment, because I think possibly in the subcommittee which considered this bill I was somewhat responsible for the insertion of this language. It was not inserted to protect any gangsters or any law violators. It was inserted to protect counties wherein gangsters might dispose of their victims.

The original bill contained a provision that the county itself in which the lynching took place should be responsible to the amount of \$10,000 to the legal representatives of the person who met his death by violence; and in case the lynchers or the law violators or the gangsters should take their victims to a certain county, we do not want the legal representatives or the wives of those gangsters to have an action against such county for \$10,000.

The text of the bill has been materially changed until that language is no longer necessary, and I join my colleague in saying that that particular language now should be excluded.

Much has been said in numerous speeches on the floor of the Senate to the effect that gangsters were protected by the provisions of the bill. The opposite is true. An attempt was made to protect against the payment of \$10,000 the county wherein the gangsters might dispose of their victim.

Mr. LEWIS. Mr. President, I ask the able Senator from South Carolina [Mr. BYRNES] if that statement is responsive to his inquiry.

Mr. BYRNES. I was simply asking whether the author of the language was in the Senate Chamber, so that he might have an opportunity to present his views. That was all I desired to ask.

Mr. LEWIS. I take it my able colleague has indicated that he is the author, and, as such, that he assents to the motion.

Mr. HARRISON. Mr. President, will the Senator yield to me?

Mr. LEWIS. I yield with pleasure to the Senator from Mississippi.

Mr. HARRISON. I understand from what the Senator says that he wants to have stricken out merely the exception, so as to leave it to the sovereignty of his State to enforce these provisions against gangsters who may violate the law. I am right in that conclusion, am I not?

Mr. LEWIS. In one respect, yes. However, as my colleague has pointed out, the matters dealt with under this provision may occur in various counties, to the embarrassment of those counties, where no one who is guilty has been discovered. I believe I anticipate what is in the mind of my able friend the Senator from Mississippi. I think the query in his mind is, If this section should be eliminated on the ground that the sovereignty of the State should take care of these particular situations, why could not the situations covered by the whole bill in its provisions be made to rest on the sovereignty of the State itself and be handled by that sovereignty?

Mr. HARRISON. Mr. President, that is a very logical suggestion, and the Senator from Illinois is always logical.

Mr. LEWIS. I was seeing in the bright eyes of the Senator from Mississippi, and in his genial demeanor, that he thought he had found there was a trap to be sprung, and that he should spring it. [Laughter.]

Mr. HARRISON. Mr. President, if I am not correct, will the Senator give his reasons to the contrary?

Mr. CONNALLY. Mr. President, will the Senator give his reason for not entering the trap?

Mr. LEWIS. Mr. President, knowing the capacity of my friends the Senator from Mississippi and the Senator from Texas to squeeze one in an emergency, I am not going to rise to the emergency. [Laughter.]

Mr. HARRISON. The Senator from Illinois and the Senator from New York have been "confabbing." Does the Senator from New York [Mr. WAGNER] share the conclusions of the Senator from Illinois in this matter?

Mr. LEWIS. I understand that the Senator from New York does concur, but in what exact language he would express his concurrence I am unable to say. If the Senator from New York desires for a moment to express himself in response to my friend from Mississippi, I yield to him to enable him to do so.

Mr. WAGNER. Mr. President, the bill itself gives a very clear explanation of exactly what we are attempting to do. If the Senator will read section 2, he will find the offenses defined. I shall read it:

SEC. 2. Any assemblage of three or more persons which shall exercise or attempt to exercise by physical violence and without authority of law any power of correction or punishment over any citizen or citizens or other person or persons in the custody of any peace officer or suspected of, charged with, or convicted of the commission of any offense, with the purpose or consequence of preventing the apprehension or trial or punishment by law of such citizen or citizens, person or persons, shall constitute a "mob" within the meaning of this act. Any such violence by a mob which results in the death or maiming of the victim or victims thereof shall constitute "lynching" within the meaning of this act.

The provision is very clear and very simple, it seems to me.

Mr. HARRISON. Mr. President, one question, while the Senator is on his feet, if he will permit it, because this is the first time he has been on his feet in 5 or 6 weeks while this important matter has been before the Senate.

Mr. WAGNER. The Senator is mistaken in that particular statement, but it does not matter.

Mr. HARRISON. The Senator is specifically exempting gangsters from the operations of this Federal law? Is that correct?

Mr. WAGNER. No; that was not the purpose.

Mr. HARRISON. It might not have been the purpose, but that is what the wording does, does it not?

Mr. WAGNER. I tried to explain it to the Senate in the absence of the Senator from Mississippi. The Senator was not here sometime ago when I made the explanation.

Mr. HARRISON. No; I heard it. It was by reason of my dumbness that I could not understand.

Mr. WAGNER. No. But the Senator said a moment ago that this is the first time I rose to my feet with respect to this subject. The Senator is mistaken in that regard. I have spoken before with reference to this legislation. This question came up before and was discussed, because the Senator from Texas [Mr. CONNALLY] attributed to me the authorship of this particular exemption. At that time I tried to explain, without any ability to persuade, that I was in no way responsible for this particular amendment, but that the exemption was put into the bill by the Committee on the Judiciary. The purpose of it was, as the Senator from Illinois [Mr. DIETERICH] explained, to avoid fining or punishing a county within a State where an offense took place other than as provided in the bill.

I do not agree with that interpretation, because I think the definition set forth in section 2 is very clear, and defines as best as it can be defined, the crime of lynching. Without going into too legalistic a discussion now, I think that the crime of lynching is very well known, so that most anyone, layman or lawyer, can define just what we mean by "lynching." This legislation is drafted in the hope of preventing lynching from occurring where it has heretofore occurred.

Mr. HARRISON. Yes; but I asked the Senator if there was not written into the bill an exception as to these gangsters?

Mr. WAGNER. No; there was not.

Mr. HARRISON. I understood the Senator in a statement a moment ago to say that whatever exception there was had been written by him into the bill.

Mr. WAGNER. No; I said that the Judiciary Committee had itself inserted this exemption, so-called, into the bill, and the Senator from Illinois [Mr. DIETERICH] a moment ago explained the history of that provision, and why he, I think he said, suggested that it be inserted by the Committee on the Judiciary.

Mr. HARRISON. Does the Senator from New York agree with the Senator from Illinois that if the exception as written in the bill touching gangsters were stricken, it would give to the State of New York full jurisdiction, as it should have, over the enforcement of the law with reference to gangsters?

Mr. WAGNER. This bill does not deprive any State of the Union of its rights or interfere with it in the enforcement of its criminal law. The purpose of this bill is misunderstood. The bill is directed at the State itself only in case of violation of a mandate of the Federal Constitution; that is, when a State fails to give equal protection of the laws to all of its citizens. This bill does not interfere with the prosecution of anyone charged with the crime of lynching. Such prosecution is left entirely to the State. What this bill provides has been upheld in certain cases by the Supreme Court, even in cases where trials have taken place for State offenses in certain States.

The United States Supreme Court has said time and time again that the State acts only through its officials, and that the act of the officials is the act of the State. If State officials fail, through willful neglect or through conspiracy, to give equal protection to all the citizens of the State, that in itself is a violation of the Federal Constitution. The Supreme Court has said that time and time again.

But there are certain cases in connection with which legislation is needed to carry out that mandate of the Constitution.

The fifth section of the fourteenth amendment says that Congress may by appropriate legislation see to it—I am not quoting the exact words—that the fourteenth amendment is carried out and that the citizens within the States receive equal protection of the law at the hands of the State's officers. There will be no intervention by the Federal Government under the proposed legislation unless there shall occur willful neglect or some act of conspiracy. The intervention occurs when the officials of the county or State fail to give protection. This legislation is directed only against the officials or the county responsible for such neglect or conspiracy.

I was going to wait until a little later on, after I had heard from some of the distinguished lawyers of this body, before I attempt to consider the legal questions that will be raised. At present I have simply made a brief statement; later I intend to quote authorities from the records of the United States Supreme Court which will convince the Senator from Mississippi and every other Senator that this legislation complies fully with the requirements of the Constitution.

Mr. BYRNES and Mr. PEPPER addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from New York yield; and if so, to whom?

Mr. WAGNER. I yield to the Senator from South Carolina.

Mr. BYRNES. Do I understand that with the elimination of this proviso the bill then would give jurisdiction over acts of violence occurring between members of groups of lawbreakers and acts of violence occurring during the course of picketing?

Mr. WAGNER. The bill will give jurisdiction over the crime which is defined in section 2 of the measure. That definition, I think, is very clear. It is understandable, I am sure, to the Senator and to anyone who wants to understand the provisions of the bill, and that, I think, is as complete an answer as one can make. One can play with words from now until doomsday, but this is a definition of lynching, and lynching is something which every person in the United States understands; and everyone, including every Senator in this body, wants to prevent it if they possibly can. I think this measure will ultimately eliminate lynching in this country. That is the reason I am advocating the measure.

Mr. BYRNES. Mr. President, the Judiciary Committee included this proviso:

That "lynching" shall not be deemed to include violence occurring between members of groups of lawbreakers such as are commonly designated as gangsters or racketeers, nor violence occurring during the course of picketing—

If we eliminate that proviso is it the intent to give jurisdiction over those offenses described in that proviso?

Mr. WAGNER. The proposed bill includes every offense which is enumerated in section 2 of the measure. I cannot make that clearer. If the Senator will read the bill he can determine for himself what particular type of offenses are included under the bill. I am attempting in this bill to deal with the subject of lynching.

Mr. BYRNES. The Senator would not want to express an opinion—

Mr. WAGNER. It has been mistakenly stated that this is an effort to invade the territories of States and to interfere with what is purely a State right, with which the Federal Government has no concern. Anyone who makes that statement has not, in my judgment, sufficiently studied the Federal Constitution and the guaranty that every person in the United States is given under that Constitution. It is only when a State violates a provision of the Federal Constitution that there is Federal intervention, just as in other cases. Take the Scottsboro case. There, without legislation, the United States Supreme Court put out its hand to protect a person who under the laws of a State had been prosecuted for a State offense, but who had not been accorded the equal protection of the laws of the State. So the Supreme Court, even without any legislation on the subject, took jurisdiction of the case. It said that person, like every other person in that particular State, was entitled to the equal protection of the law; that he did not receive a fair trial; and therefore that the Court had a right to intervene. That is, in effect, what the Court said. Later on I will cite all these cases.

Mr. BYRNES. I am simply asking—

Mr. WAGNER. I know the Senator is playing with words.

Mr. BYRNES. I am simply asking the Senator if he will say that, with the elimination of the proviso as proposed by the Senator from Illinois, the language in the bill as it will then remain will cover the offenses in the proviso? I am asking for the Senator's opinion.

Mr. WAGNER. The language of the bill will cover any person who is guilty of the offense which is set forth in section 2, whether he be called a racketeer, a gangster, or anything else, and whether he be of the white, Negro, or any other race. Any persons who are guilty of lynching as defined in the bill will come within the terms of the bill. Has the Senator studied the bill?

Mr. BYRNES. I have.

Mr. WAGNER. What we are dealing with, and then I shall conclude, because I cannot persuade the Senator—

Mr. BYRNES. I am not asking to be persuaded; I am asking the Senator a simple question.

Mr. WAGNER. I have answered the question.

Mr. BYRNES. If the Senator has answered, I certainly cannot possibly understand the answer.

Mrs. GRAVES. Mr. President, will the Senator from New York yield for a moment?

Mr. WAGNER. I yield.

Mrs. GRAVES. Inasmuch as the Senator mentioned the Scottsboro case, and that the Supreme Court of the United States intervened because the defendants were not sufficiently protected and ordered a new trial, does he not think that the existing law as it stands affords protection, since the Supreme Court has given protection to the persons involved in that case? Does not the law of the land as it prevails today cover the case and amply protect prisoners without any further legislation?

Mr. WAGNER. The distinguished Senator from Alabama is exactly correct about that in the particular case, and I will state why. It is because in that case a record was made of all the acts of injustice, so that the defendants who had not been accorded the equal protection of the law had a record upon which they could go to the Supreme Court and say to the Justices of that Court, "Read this record and then determine whether or not the fourteenth amendment of the Constitution has been complied with, and whether or not we were given the equal protection of the law." But when a person is

lynched there is not any record made on which he can appeal to the United States Supreme Court. When the State officers deliberately give up a prisoner to a mob, which then lynches the prisoner, all protection is denied. The victim cannot go to the United States Supreme Court and say, "Read this record." There is no trial; there is nothing to go up to the Court. Therefore legislation is needed in order to afford protection in this particular case. That is the distinction between the two cases. I am very glad that the distinguished Senator asked me the question.

Mr. PEPPER. Mr. President, will the Senator from New York yield to me for a question?

Mr. WAGNER. I yield.

Mr. PEPPER. I will ask the Senator if I understood him correctly to say that the purpose of this bill is to give statutory protection to the civil rights guaranteed by the fourteenth amendment?

Mr. WAGNER. Yes; but it does more than that. What we are attempting to do, by appropriate legislation, is to assure the equal protection of the law to those who otherwise might be the victims of lynching. The reason, of course, why the public is aroused is that fewer than eight-tenths of 1 percent of the offenders who have been guilty of lynching have ever been brought to justice, and States, whose officials have been guilty of these offenses, have rarely been subjected to any disciplinary action. I understand there is a very recent case in which, in the absence of a statute, a family has brought an action against a State officer, and the Federal court has taken jurisdiction upon the ground that the officer's dereliction in connection with the lynching in that case was in violation of the fourteenth amendment.

Mr. PEPPER. Mr. President, will the Senator yield for another question?

Mr. WAGNER. I yield.

Mr. PEPPER. If the Senator's answer to the first question, that this bill is designed to afford statutory protection to the civil rights guaranteed by the fourteenth amendment, is "yes," then I will ask him if he is not aware of the fact that the Senate, through a subcommittee of the Committee on Education and Labor, called the Committee for the Investigation of the Loss and Deprivation of Civil Rights, has for a period of several years engaged in the investigation of that subject, and whether or not this bill, designed for statutory protection of the civil rights guaranteed by the fourteenth amendment, is based upon the recommendations and findings of the Civil Liberties Committee of the United States Senate?

Mr. WAGNER. Is the question whether I know of the existence of that committee?

Mr. PEPPER. No. The question is whether this bill is based upon the recommendations and findings of the Senate's own committee dealing with the question of the deprivation of civil rights guaranteed to American citizens under the fourteenth amendment.

Mr. WAGNER. This bill was actuated by a long series of offenses in the form of lynching that have been committed.

Mr. PEPPER. Was the Senate's own committee which has been for years investigating the subject of the deprivation of civil rights consulted concerning this bill which is supposed to provide statutory protection through the civil rights guaranteed by the fourteenth amendment? Has it or has it not been consulted?

Mr. WAGNER. In the drafting of this proposed legislation?

Mr. PEPPER. Yes.

Mr. WAGNER. No.

Mr. PEPPER. It has not been consulted?

Mr. WAGNER. No.

Mr. PEPPER. Will the Senator yield to a further question?

Mr. WAGNER. Certainly.

Mr. PEPPER. The purpose of the bill, as I understand it, is to give protection, then, to particular civil rights and not to all civil rights guaranteed by the fourteenth amendment? Is that correct?

Mr. WAGNER. I do not think that is a fair statement of the situation.

Mr. PEPPER. May I ask the Senator another question?

Mr. WAGNER. The bill is a very simple proposition. Perhaps I had better state it in the affirmative. The bill is an effort to deal with a subject that in some jurisdictions in particular sections the State authorities have not dealt with, namely, the subject of lynching. As I previously stated, lynchings occur year after year and nobody is prosecuted, nobody is brought to book for the offense; or if so, only in rare instances. The records show that convictions occurred, I think, in less than eight-tenths of 1 percent of the recorded lynchings since 1900. There was an unfortunate occurrence of this kind in the Senator's own State, I understand, not so long ago. What we are trying to do is to deal with that particular subject in the hope of aiding the States, if I may say so, to prevent lynchings occurring within their jurisdictions.

Nothing could happen under this proposed legislation, I may say to the Senator, unless first there had been a lynching, and second, there had been willful neglect or conspiracy of some kind on the part of public officials in aid of the lynching. The bill, if enacted, would not interfere with the State's prosecution of those charged with the offense. Such prosecution is a proper State function, and is left entirely to the State. The Federal Government has no right to interfere with that particular function of the State. All that we say is that the fourteenth amendment requires every State to give equal protection of the law to all its citizens, and when a State violates that provision of the Constitution, the Federal Government has a right to intervene, for the sole purpose of punishing the subdivisions or officials of the State responsible for the denial of such equal protection.

Mr. PEPPER. Mr. President, will the Senator yield to one or more questions?

Mr. WAGNER. I yield.

Mr. PEPPER. I will ask the Senator if he is aware of the fact that some pictures were exhibited before the Senate Civil Liberties Committee purporting to show that police officers of the city of Chicago during the time of a labor strike in the vicinity of Chicago in the steel industry deliberately and without adequate provocation fired upon and killed a certain number of laboring people who were engaged in certain remonstrative activities at that time, and whether or not this bill, if the facts are as stated, would penalize the police of the city of Chicago and the county in which that deprivation of civil liberty occurred?

Mr. LEWIS. Mr. President, may I be pardoned—

Mr. WAGNER. Mr. President, the Senator from Illinois asks my permission that he may answer that question, and I am quite willing to yield to him.

Mr. LEWIS. I will occupy just a second, with the consent of my friends the Senator from New York and the Senator from Florida, to say that I, too, understood that there were certain pictures presented that disclosed a condition such as described by the Senator from Florida; but subsequent pictures, which were authentic, furnished to and now held by the committee, disclosed that those which were first represented were false and unjust to the city of Chicago and completely at variance with the truth.

Mr. PEPPER. Mr. President, aware of the prescience of my friend the very distinguished Senator from Illinois, I put the case hypothetically: If the first pictures were true, would this bill penalize criminally those police and penalize civilly the county in the State of Illinois in which that deprivation of civil rights occurred?

Mr. WAGNER. If the offense came within section 2 of this bill, of course, they would be prosecuted. If not, they would not be. I may say that the State of Illinois itself has a law which penalizes a county in which injury or death occurs as the result of mob violence.

Mr. PEPPER. Mr. President, the able Senator from New York is not only one of the authors of this bill but is an attorney of personal distinction and professional prestige, and I hoped he might give me an opinion as to whether or not the case which I hypothetically put would be covered within the provisions of the bill.

Mr. WAGNER. I am sure the Senator from Florida is a better lawyer than I am. He can answer that question as

well as I can. If the offense came within the definitions of section 2 of the bill, of course the officials, if they were acting through the State, would be guilty of an offense. Whether or not the offense would come within this section I cannot tell. I know how easy it is to ask a hypothetical question including all sorts of facts. Ultimately the courts will have to determine what is within and what is without the section.

I know my objective. I know that what I am trying to do is to prevent lynching, because those are the cases in which there have not been prosecutions. In other cases there has never been any complaint raised that the States have been neglectful in enforcing their criminal laws over a long period of time without even ascertaining by trial whether the man was innocent or guilty. All I am seeking here is to insure, if I can, that in all these cases those guilty of an offense shall be apprehended and tried in the usual manner. As the Senator from Texas [Mr. CONNALLY] once said, the humblest person in the United States is entitled to a trial, and is to be deemed innocent until he is proven guilty. All I am trying to do is to see that the person charged with some sort of offense, however humble he may be, shall be duly tried in accordance with the laws of the State in which the offense was committed, instead of being taken out into a lot with witnesses to the number of five or six thousand men, women, and children, in some instances, and put to death without warrant of law.

I know that no one here would in any way countenance any such thing; but I say that instead of that procedure, let the man have his trial; and if, after a fair trial by a court, he is found to be guilty, very well; then at least he has been accorded the equal protection of the laws guaranteed by the Federal Constitution. That is all I am seeking to bring about.

Mr. CONNALLY. Mr. President, may I ask the Senator from Florida if the Senator from New York has not just said that in the case of a person in custody he wants to make it a crime to lynch him? In other words, in the case of a criminal who is charged with a crime the Senator from New York wants to make it unlawful to lynch him; but if a man is not a criminal, if he is just an ordinary citizen going about his business and pursuing his honest avocations, under this bill, the Senator from New York wants him to be exempt, so that he may be lynched. Is not that what he has just said? In other words, the Senator from New York does not want to make the law apply to anybody but criminals who are in custody. He wants it to be lawful under this bill to lynch a peaceable, law-abiding citizen, who is going about his business, wherever he may be found.

Mrs. GRAVES. Mr. President, will the Senator from Florida yield?

Mr. PEPPER. Certainly.

Mrs. GRAVES. I think the Senator from New York errs in saying that the States do not prosecute those who are guilty, or presumably guilty of lynching, or from whose jurisdiction a prisoner may have been taken by a mob. I know as a matter of record that a number of States do prosecute such persons very vigorously. I know that in my own State within the past few years there has been one instance of lynching, and the case of the official of that county is now in court, and has been vigorously prosecuted. I presume the same thing is true of other States; so I simply wanted to correct the Senator from New York in saying that the States do not prosecute law violators for the crime of lynching.

Mr. CONNALLY. Mr. President, will the Senator from Florida yield to me?

Mr. PEPPER. Certainly.

Mr. CONNALLY. Let me say to the Senator from Alabama that the Senator from New York probably had in mind the gangster killers in New York who have not been prosecuted.

Mr. PEPPER. Mr. President, I rose really for the purpose of making an inquiry, and I certainly am not going to take more than about a minute further of the Senate's time. I just happen to be one Member of this body, and a very little informed one, who wishes to make the situation clear, whether it is of importance to anybody besides the Senator

from Florida or not. That is, I cannot view this proposed legislation, I cannot observe the language of it, I cannot know the humanitarian sentiments which run through the heart of the Senator from New York, I cannot recognize the investigations and the public disclosures of the Senate's own Civil Liberties Committee—which has given the American people some of the most shocking instances of the general deprivation of sacred civil rights, not in one section of the country but in all sections, and not in one industry but in many industries, and not in one particular category but in numerous categories—without feeling that the authors of this bill have not earnestly tried to protect all of the important civil rights guaranteed by the fourteenth amendment. We and the people of the country are entitled to know whether or not the authors and advocates of the bill are honestly trying to protect the civil rights of the men who labor and are denied those rights, of the men who seek freedom of speech and of the press and are denied those rights, who seek the protection of their legitimate property interests and are denied those rights, and who even yearn for the protection of their lives and are denied those rights and are not offered any protection, nor is any honest effort made toward their protection by this particular legislation.

Mr. NORRIS. Mr. President, I desire the attention of the Senator from Illinois [Mr. LEWIS] and the Senator from New York [Mr. WAGNER]. I am anxious that there shall be no mistake here, as a result of which we may find, after the legislation is enacted—if it shall be enacted into law—that we have done in it something that nobody wanted to do.

The Senator from Illinois has moved to strike out of the bill this language:

Provided, however, That "lynching" shall not be deemed to include violence occurring between members of groups of law-breakers such as are commonly designated as gangsters or racketeers, nor violence occurring during the course of picketing or boycotting or any incident in connection with any "labor dispute" as that term is defined and used in the act of March 23, 1932 (47 Stat. 70).

I can see why there is reason for striking out of the bill the part of that language referring to racketeers and gangsters; but if we also strike out the exception included in the bill referring to labor disputes and any incident which may occur in connection with them, I am wondering whether we shall not wake up to find that we have made it impossible for labor to enjoy the privileges of the act of March 23, 1932.

In that act, subsection (c) of section 13, we find this language:

The term "labor dispute" includes any controversy concerning terms or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether or not the disputants stand in the proximate relation of employer and employee.

I am sure neither the Senator from Illinois nor the Senator from New York—in fact, no Senator, I believe—wishes to do anything that would curtail this labor legislation, known as the act approved March 23, 1932. Inasmuch as this amendment is going over, and inasmuch as there seems to have been agreement that all of the language indicated by the Senator from Illinois should be stricken out, while the matter is still fresh in our minds and in the minds of the Senator from Illinois and the Senator from New York, I wanted to call their attention to the possible danger of striking out all of that language.

Mr. LEWIS. Mr. President—

Mr. NORRIS. I yield to the Senator from Illinois.

Mr. LEWIS. As I remarked earlier in the day, a feature was presented by the Senator from Kentucky [Mr. BARKLEY] and the Senator from Nebraska [Mr. NORRIS] as to the last part of my amendment which seems to have been overlooked in its operation. Since there is a basis for just such criticism as the able Senator from Nebraska has just illustrated, I prefer that my amendment shall be limited so as to begin with the word "Provided", in line 9, and end with the word

"racketeers", in line 13, wholly omitting all reference to labor, because it appears that if those words were included the amendment might be in conflict with what the Senator from Nebraska says is the spirit of the act which he has just read and brought to our attention.

Mr. NORRIS. Let me say to the Senator from Illinois that I have before me a copy of the bill; and, as I understand, the Senator would carry out his idea entirely if he would just strike out of the bill the language commencing after the word "occurring", in line 11, page 7, and ending with the word "occurring" in line 13. If that language were stricken out, the remaining language would read as follows:

Provided, however, That "lynching" shall not be deemed to include violence occurring during the course of picketing or boycotting or any incident in connection with any "labor dispute" as that term is defined and used in the act of March 23, 1932 (47 Stat. 70).

Mr. LEWIS. The latter feature described by the Senator I desire to omit from my amendment, and leave it wholly as I have designated.

Mr. NORRIS. The Senator would accomplish that purpose, as I understand, if he sought to strike out only the words I have indicated, instead of striking out the further words to which I have referred.

Mr. LEWIS. I differ with the Senator slightly in this respect: I feel that we should strike out beginning with the word "Provided", on line 9.

Mr. BARKLEY. Oh, no, Mr. President; that proviso should remain. The proviso must apply to labor disputes.

Mr. LEWIS. Oh, I beg pardon; the Senator is quite right.

Mr. NORRIS. The proviso would have to remain.

Mr. LEWIS. It would have to be there in order to define the other features. Yes; I answer the Senator from Nebraska, I feel that his suggestion is the correct one.

Mr. NORRIS. I hope, therefore, the Senator will modify his amendment accordingly.

Mr. LEWIS. A little later, when I tender it for a vote.

Mr. NORRIS. Yes; I do not care when it is done. I wanted to call the matter to the attention of the Senator now, so that later in the debate, if we should not all be here at the time, there would be an understanding as to what language should be stricken out.

Mr. LEWIS. I am grateful to the Senator for his suggestion, because I may have made an error in my amendment as originally proposed.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. LEWIS. Yes; I yield to my friend from Texas.

Mr. CONNALLY. As I understand, it is the Senator's purpose to exempt labor unions and labor activities from the bill. My question is, Will we not simply force the lynchers to join the union, to get a union card, and then go ahead and lynch?

Mr. LEWIS. The portion I am omitting from my amendment is simply that which refers to the matter of boycotting or the disputes of labor, because it is contained in a previous act, as read by the Senator from Nebraska, and therefore has been covered with completeness.

Mr. CONNALLY. I hope the Senator will not consider my questions impertinent.

Mr. LEWIS. Oh, no!

Mr. CONNALLY. I still ask, if the Senator's purpose is to exempt from antilynching laws those who belong to labor unions or who may engage in labor disputes, will we not simply force the lynchers, before they start out, to join the union and get out a card, and then go ahead and lynch?

Mr. LEWIS. Mr. President, I answer that the Senator is not disturbing me by his frequent interruptions. He adds great information and sheds profound light by any suggestion he offers. But I insist that my amendment merely excludes those who are defined in that provision which I seek to strike out because they are covered by previous enactment of law, and this would be tautology and unnecessary repetition. Therefore I limit my amendment to lawbreakers commonly designated as gangsters or racketeers, as that serves my purpose.

Now I must answer my friend. I am not aware of any labor union which would be willing to have in its membership or issue a card to those whom my amendment defines as gangsters and racketeers. Therefore I cannot assume that such conditions as the Senator intimates could ever exist, certainly not among such people as those in my State whom I represent.

Mr. CONNALLY. If that be true, the Senator does not need the amendment. If none of them would be guilty of the offense indicated, there would be no occasion to exempt them; because if they are innocent and do not do anything, there is no use in exempting them.

Mr. LEWIS. But there is the intimation that there might be such persons as would come within the designation among the constituency I represent.

Mr. CONNALLY. Is this the same constituency the Senator wanted to exempt earlier in the day because of the fact that the amendment was supposed to be directed to the gangsters of Chicago? Is this the same constituency which now, after the expiration of 30 minutes of the Senate's time, has been dry-cleaned and purified, and now represents the sublimation of all that is orderly and legal in gangsterism in Chicago, that only an hour ago was of such diabolical character that the Senator was concerned to exempt them from the operation of the law because he regarded it as a reflection on the State of Illinois?

Mr. LEWIS. Mr. President, I deeply regret that there is an element creeping into my able friend which can be described as torpidity and turgidity, and that such torpidity and turgidity prevent my friend from understanding my position discourages me and robs me of the privilege of further conference with him if he has desired it.

I now state that my proposition was wholly limited to those who were called gangsters because it was defined by Members of the Senate as applying to my city of Chicago, and I feel that if it be applied to my city, its people, in the execution of the laws and the administration of their sovereignty, would take care of them with due penalty.

As to the other part, relating to the labor question, I am eliminating that because it appears that it is unnecessary to include that particular branch. As the Senator from Nebraska has pointed out, it is covered in a previous law, making this a work of supererogation.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

H. R. 4256. An act conferring jurisdiction on the United States District Court for the Northern District of California to hear, determine, and render judgment upon the suit in equity of Theodore Fieldbrave against the United States;

H. R. 4569. An act for the relief of Isador Katz;

H. R. 5639. An act for the relief of Henrietta Wills;

H. R. 5768. An act for the relief of Mary Louise Chambers, a minor;

H. R. 5912. An act for the relief of Judd & Detweiler, Inc.;

H. R. 5989. An act for the relief of J. L. Myers;

H. R. 6628. An act to permit the further extension of the Air Mail Service; and

H. R. 7415. An act to increase the rates of pay for charmen and charwomen in the custodial service of the Post Office Department.

PREVENTION OF AND PUNISHMENT FOR LYNCHING

The Senate resumed consideration of the bill (H. R. 1507) to assure to persons within the jurisdiction of every State the equal protection of the laws and to punish the crime of lynching.

Mr. REYNOLDS obtained the floor.

Mr. CONNALLY. Mr. President, the Senator from North Carolina is entitled to have a quorum present when he addresses the Senate, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SMATHERS in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Dieterich	La Follette	Pepper
Bailey	Donahay	Lewis	Pope
Barkley	Duffy	Lodge	Reynolds
Berry	Frazier	Loneragan	Russell
Borah	George	McAdoo	Sheppard
Bulow	Gibson	McGill	Smathers
Byrd	Graves	McKellar	Smith
Capper	Guffey	Miller	Townsend
Caraway	Harrison	Minton	Vandenberg
Clark	Hatch	Moore	Wagner
Connally	Hayden	Neely	
Copeland	Johnson, Colo.	Overton	

The PRESIDING OFFICER (Mr. LODGE in the chair). Forty-six Senators have answered to their names. A quorum is not present. The clerk will call the names of the absent Senators.

Mr. CONNALLY. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CONNALLY. Is it necessary, under the rules, that the roll be called a second time?

The PRESIDING OFFICER. It is the custom, the Chair is informed.

Mr. CONNALLY. I move that the Senate adjourn.

The PRESIDING OFFICER. The motion is in order. The question is on agreeing to the motion of the Senator from Texas.

Mr. CONNALLY. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. WAGNER. Mr. President, may I ask the Chair a question for information?

The PRESIDING OFFICER. The Senator will state the question.

Mr. WAGNER. If this motion is carried it will mean that it displaces the antilynching bill upon the calendar.

Mr. CONNALLY. Mr. President, I make the point of order that a motion to adjourn is not debatable, and this is debate.

Mr. WAGNER. I am making a parliamentary inquiry.

The PRESIDING OFFICER. The Chair does not consider that that is a parliamentary inquiry.

Mr. WAGNER. Very well. I wanted to be sure about that.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BARKLEY (when Mr. WALSH's name was called). I announce the unavoidable absence of the senior Senator from Massachusetts [Mr. WALSH] on official business, and further announce that if present he would vote "nay" on this question.

The roll call was concluded.

Mr. BYRNES (after having voted in the affirmative). I have a general pair with the senior Senator from Maine [Mr. HALE]. Not being advised as to how he would vote upon this motion if he were present, I transfer my pair with him to the junior Senator from Oklahoma [Mr. LEE], and will permit my vote to stand.

Mr. GIBSON. My colleague [Mr. AUSTIN] is absent on official business. On this question he has a pair with the junior Senator from Mississippi [Mr. BILBO]. If present, my colleague would vote "nay" on this question.

Mr. LEWIS. I announce that the Senator from Rhode Island [Mr. GREEN] and the Senator from Delaware [Mr. HUGHES] are absent because of illness.

The Senator from Washington [Mr. BONE] and the Senator from Maryland [Mr. RADCLIFFE] are absent because of deaths in their families.

The Senator from Nebraska [Mr. BURKE] is absent on official business as a member of the committee appointed to investigate certain conditions in Puerto Rico.

The Senator from Florida [Mr. ANDREWS], the Senator from Mississippi [Mr. BILBO], the Senator from New Hampshire [Mr. BROWN], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Rhode Island [Mr. GERRY], the Senator from Virginia [Mr. GLASS], the Senator from Mississippi [Mr. HARRISON], the Senator from Utah [Mr. KING], the Senator from Oklahoma [Mr. LEE], the Senator from Oklahoma [Mr. THOMAS], the Senator from Maryland [Mr.

TYDINGS], and the Senator from Montana [Mr. WHEELER] are unavoidably detained.

The Senator from Virginia [Mr. GLASS] has a general pair with the Senator from Minnesota [Mr. SHIPSTEAD]. I am advised that if present and voting the Senator from Virginia would vote "yea," and the Senator from Minnesota would vote "nay."

The result was announced—yeas 18, nays, 52, as follows:

YEAS—18

Bailey	Connally	McKellar	Russell
Bankhead	Donahey	Miller	Sheppard
Byrd	Ellender	Overton	Smith
Byrnes	George	Pepper	
Caraway	Graves	Reynolds	

NAYS—52

Adams	Gibson	Lonergan	O'Mahoney
Ashurst	Gillette	Lundeen	Pittman
Barkley	Guffey	McAdoo	Pope
Berry	Hatch	McCarran	Schwartz
Brown, Mich.	Hayden	McGill	Schwellenbach
Bulkley	Herring	McNary	Smathers
Bulow	Hitchcock	Maloney	Stelwer
Capper	Holt	Minton	Thomas, Utah
Clark	Johnson, Colo.	Moore	Townsend
Copeland	La Follette	Murray	Truman
Davis	Lewis	Neely	Vandenberg
Dieterich	Lodge	Norris	Van Nuys
Duffy	Logan	Nye	Wagner

NOT VOTING—26

Andrews	Burke	Harrison	Thomas, Okla.
Austin	Chavez	Hughes	Tydings
Bilbo	Frazier	Johnson, Calif.	Walsh
Bone	Gerry	King	Wheeler
Borah	Glass	Lee	White
Bridges	Green	Radcliffe	
Brown, N. H.	Hale	Shipstead	

So the Senate refused to adjourn.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Illinois [Mr. LEWIS], as modified; and the Senator from North Carolina [Mr. REYNOLDS] has the floor.

Mr. REYNOLDS. Mr. President, I send to the desk at this time a resolution which I have prepared and ask that it be read by the clerk.

The PRESIDING OFFICER. The resolution will be read. The Chief Clerk read as follows:

Resolved, That the Secretary of State, the Attorney General, and the Secretary of Labor are requested to transmit to the Senate, at the earliest practicable date, all information which may be in their possession and all information which may be in the possession of any of them with respect to the activities in the United States of persons (including diplomatic and consular representatives of foreign states) who have recently been engaged in or are now active in enlisting persons residing in the United States for service in the armed forces of any foreign state or of any faction in any foreign state where civil strife exists.

The PRESIDING OFFICER. Is there objection to the introduction of the resolution?

Mr. CLARK. I object.

Mr. REYNOLDS. Then, I ask that the resolution lie on the table.

The PRESIDING OFFICER. Without objection, the resolution will lie on the table.

Mr. REYNOLDS. Mr. President, I bring that resolution to the attention of the Members of this body at this time because I know that, of course, all of us are interested in the neutrality laws of our country, particularly those enacted at the first session of the present Congress. I bring the resolution to the attention of this body at this time because I recognize, as does our honorable President, that of all the people of the world we of this hemisphere, amongst the 2,000,000,000 inhabitants of the earth, are more thoroughly interested than are any others in keeping our skirts clear of any foreign entanglements or embroilments. Incidentally, I will say, I dictated the resolution which has just been read by the clerk at the desk, by reason of the fact that only a few days ago I observed in the columns of the press a very interesting article. It is from the Adirondack Enterprise, of the State of New York. I read the clipping, as follows:

[From the Adirondack Enterprise]
CONVICT PAROLED TO JOIN LOYALISTS

DANNEMORA, N. Y., December 27.—Adrian Alvarey Hevia, sentenced several years ago to a life term in Clinton Prison, obtained a parole because he wanted to be a soldier.

Hevia was granted his freedom from the grim north country prison, through intervention by the Spanish general consul, who explained that Hevia wanted to enlist in the Loyalist army.

Parole officials permitted his release on such grounds, and Immigration Inspector C. J. Leason escorted him to the Rouses Point, N. Y., customs office, on the first lap of his trip to Spain. Under ordinary circumstances, prison officials said the man would not have been eligible for parole before 1958.

That struck me as having considerable significance, Mr. President, because I have never heretofore heard of the immigration authorities and a consul general representing any foreign government in the United States together interesting themselves with the parole authorities of any Commonwealth for the purpose of securing the release of a prisoner from the penitentiary in order that he might be provided the opportunity of fighting in some foreign country. That interested me, because little incidents sometimes lead to large explosions whereby the country from which an individual in such circumstances might perhaps come would find itself in trouble.

We of the United States, of course, are daily casting our eyes across both the Atlantic and the Pacific; we are reading from time to time accounts of occurrences that are taking place, not only on Asiatic soil and in Chinese and Japanese waters, but we are likewise interested today in the civil war that is raging in Spain. We all know that if the world were not a little bit more backward about engaging itself in controversies than it was 20 or more years ago, the probabilities are that the world again today would be involved in a conflict that would cover a large portion of the earth. Regardless of where the sympathies of the American people may be, whether they are with the loyalists of Spain or with the rebels of Spain, we of the United States are desirous of keeping our skirts clear of anything that might lead to a situation damaging or dangerous as the result of the participation of any of our citizens in any of the wars or revolutions that are raging over the earth today.

Mr. President, in reference to this particular matter I wish to say that I should like to know whether or not the consul general of Spain was instrumental in bringing about the release of the prisoner concerning whom I have just read; and if so, whether or not his release was brought about as a result of an agreement entered into by the consul general of the Spanish loyalist government with the parole authorities of the State of New York or with representatives of the Immigration Department of the Government of the United States.

We all, of course, hope the day will soon come when the differences that have existed since July 18, 1936, in Spain between the two fighting forces there today will be composed. We hope that that strife will soon end, because we know that since July 18, 1936, when civil war began in Spain, almost 500,000 human beings have lost their lives.

I have been reading from time to time in reference to American citizens who for pay and because of sympathy for perhaps one side or the other in Spain have enlisted in Spain for the purpose of fighting for the side they espouse. I have felt at times that perhaps such enlistments might involve the Government of the United States, because, as you know, Mr. President, we endeavor as best we can and as reasonably we can to protect our citizens and look after their interests, regardless of the part of the world in which they may find themselves.

Mr. CHAVEZ. Mr. President—

Mr. REYNOLDS. I am glad to yield to my distinguished colleague from the State of New Mexico.

Mr. CHAVEZ. Does the Senator from North Carolina believe that it is the duty of the United States to protect those of its citizens who, of their own volition, go to foreign countries and take part in their affairs?

Mr. REYNOLDS. To be perfectly frank with the Senator, I do not believe it is the part of the duty of the United States to look after the interests of those of its citizens who leave its soil and join warring forces in foreign countries. As a matter of fact, however, I am rather of the opinion that when one volunteers and leaves the shores of America, as have many during the Spanish conflict, for the purpose of

joining either one side or the other in Spain or any other country he is still a citizen of the United States; that he has not given up his allegiance to the United States, regardless of the fact that he might have taken some sort of an oath to fight for the army with which he has become affiliated.

Mr. CHAVEZ. Mr. President, will the Senator yield to me for an observation?

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from New Mexico?

Mr. REYNOLDS. Yes; I am very happy to yield to the Senator from New Mexico.

Mr. CHAVEZ. I do not believe that the United States will get into any difficulties because one of its citizens goes to a foreign country and participates in its internal affairs. My concern is with citizens who have become naturalized in this country and yet seem to be more interested in the country from which they came than in the country which has given them their living. I believe that is of deep concern to the people of the United States.

What I am trying to impress upon the Senator from North Carolina is that when a subject or a citizen of any foreign government comes to the United States of America and becomes a citizen, his feelings or his state of mind, so far as the country of his parentage is concerned, should be set aside and that neutrality should end at the border of the United States; in other words, that the United States should be the first choice of that citizen. But it appears that there are many so-called citizens of the United States who are more concerned as to what is going on in the country from which they came than in the welfare of the country of their adoption wherein they are making a livelihood.

Mr. REYNOLDS. Mr. President, I wish to thank the Senator from New Mexico very much for his splendid contribution. Along that particular line, in reference to many naturalized American citizens who seem to be more thoroughly interested in the country from which they came or countries in which they have participated in wars or revolutions than in the country of their adoption, I have before me now, in pursuance of that observation, a newspaper clipping from the Daily Worker, which, I believe, is the official organ of the Communist Party in the United States. The clipping is dated December 20, 1937. It is headed "Lincoln Vets Organize at Parley," and reads as follows:

OUTLINE PURPOSES, NAME SLATE OF NOMINEES FOR OFFICES

The newest veterans' organization in the United States, the Veterans of the Abraham Lincoln Brigade, held its first organizational conference Saturday afternoon at the Mecca Temple, adopting a constitution and making nominations for the first slate of national officers.

The group is "open to all Americans who served in Spain in the International Brigade and who left Spain with the permission of the International Brigade."

I assume that those mentioned in this article from which I have just read were American citizens who left our shores in order to participate in that controversy, or, I should say, civil war in Spain. It appears that before they were permitted to return to America, their own country, they had to receive permission of the Spanish brigade, which, in my opinion, is an outrage. I read further from the article published in the Daily Worker:

Fifty leading veterans took part in the conference, which moved to build the new organization as a major force for peace and against fascism in the United States.

In other words, in view of the fact that this clipping comes from the Daily Worker, the mouthpiece and organ of the Communist Party in the United States, I take it that they were fighting in Spain for the Communists, the loyalist government.

I read further from this clipping:

OUTLINE PURPOSES

The functions of the organization, according to its constitution, are "to continue and promote friendly and helpful relations between its members; to assist the friends of the Abraham Lincoln Brigade in their work of providing the Americans in Spain with comforts and in their work of rehabilitation; to help to rally the support of the democratic people of America to the democratic people of Spain, fighting for their independence against Fascist

invasion; to aid in every effective way possible the peace and anti-Fascist movement, and cooperate with any and all organizations working for peace and democracy and against fascism; to affiliate and cooperate with organizations formed in other countries by veterans of the International Brigade."

Ballots for election of national officers will be mailed to all veterans of the Lincoln Brigade in the county tomorrow and will be counted at the end of 2 weeks.

Paul Burns and Steve Nelson were the two candidates named for the post of commander, while Hy Stone, Steve Nelson, and Douglas Roach are running for adjutant commander.

Dennis Jordan, Steve Daduk, and Bill Wheeler are competing for the post of executive secretary, and Bob Klonsky is the sole candidate for publicity director.

Walter Garland and Bill Harvey are the candidates for treasurer. A slate of 20 candidates for the national committee were put up, of whom 10 will be elected.

It was voted to empower the executive committee to confer honorary membership upon the nearest relative of Americans who fell fighting in Spain.

The first issue of the veterans' organ, the Volunteer for Liberty, was distributed at the conference.

Chapters of the veterans may be set up in any city where there are 10 or more members in residence, and elsewhere members are affiliated directly to State, regional, or the national organization.

The article which I have just read, as I stated—if I may be permitted to repeat—is from the Daily Worker, the mouthpiece and official organ of the Communist Party in the United States of America. We judge from that article that this daily organ of the Communists of America is encouraging the organization of veterans within the confines of the United States of America; veterans who, judging from all we can gather from our war correspondents and all we take from the pages of the periodicals of Europe, have fought upon Spanish soil for the Communists in old Spain, where, since July 18, 1936, as I stated a moment ago, a bloody revolution has raged in which almost half a million persons have lost their lives.

By the way, if I may be permitted to return to the observations made by my distinguished colleague from New Mexico [Mr. CHAVEZ] a moment ago in reference to the activities of those who have come from foreign lands, who have been delighted to assume the protection of the American flag, those who are still interesting themselves in what is going on in the country from which they came—that is the protest which the Senator is making by way of a very worthy observation—it was only night before last that I observed through the columns of one of our local Washington newspapers the fact that one of our committees of the National Congress had made, I believe, an investigation in regard to the activities of the Nazis in this country; and it was stated that within a few days those who were affiliated with Hitler's organization in America would number, no doubt, 8,000 active participants.

In this country today we find those who are actively standing on the side of China. We find those who are actively standing on the side of Japan. We find those who are interesting themselves in everything that is done by the dictator of Italy, Mussolini. After all that we have gone through, after all the billions of dollars we have spent in monkeying around with the peoples of the world, it does appear that there are still many, many persons in America who insist upon getting mixed up in some foreign entanglement, or who insist upon maintaining affiliations with the mother country, despite the fact that they are full-fledged American citizens.

It does not make any difference whether a man was born in this country or whether he became naturalized under the laws of the country; the flag of the United States provides him with the same protection.

Mr. President, I think the time has come when the American people should interest themselves in America first, last, and all the time. I think the time has come when Americans should quit fighting for other nations; when Americans should quit trying to police the world and trying to make a chief of police out of Uncle Sam; when Americans should give all their thought and time and attention to America, and to America alone; but it seems that we do not profit by experience.

You know, it is regrettable that the world is in the condition it is in today. When we see the people of Asia, of

central and of continental Europe not only preparing for war but warring, and see the billions of dollars that that is costing the millions of people of those respective countries, it does seem as if we would profit by their sorrows; but we do not.

Let us see what is going on upon the face of the earth.

Over yonder in China a war is raging. China, I believe, has a population of between 400,000,000 and 500,000,000 people. Nobody knows the exact number. It has been conservatively estimated that there are 400,000,000 people over there. China, as you know, is about two-thirds the size of the United States. Nanking, the northern capital of China, which a few weeks ago was captured by the Japanese, is one of the oldest walled cities of China, and was really an ancient city when Christ was a babe in the manger of Bethlehem. China, although it has had its civilization for thousands of years, is today the China of almost a thousand years ago, because in all of China there are only about 6,000 miles of railroad. To my mind, that is an appalling condition.

As you know, Mr. President, transportation in China is carried on today as it was carried on a thousand or more years ago, by the little canals and the sampans thereupon. It is an interesting country, it is true; but the thing that is interesting to the Japanese is this: Regardless of its age, the Chinese have not permitted the soil of their country to wash away as we have done in many parts of this country; and in China today we find many hundred square miles of virgin timber that have never been touched by the ax. Over there, as, of course, Senators know, in many of the great valleys, particularly in the neighborhood of Manchukuo—formerly called Manchuria—there is found the finest section of the world for the production of the soybean, which contains a great deal of nourishment, and is really fine food for the soldiers at the front. Over there in China they have immense deposits of copper ore and iron ore and great oil pockets that have never been touched, all of which are essential to any country which may wish to interest itself in industry.

Mr. TRUMAN. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Missouri?

Mr. REYNOLDS. I shall be very happy to yield.

Mr. TRUMAN. I ask the able Senator from North Carolina whether the present condition of China has not been brought about by the fact that China has always advocated the very policy which the Senator is now advocating for America; that is, to live within themselves, and not have any communication with the rest of the world. Is not that what has brought about China's present condition?

Mr. REYNOLDS. Yes and no. I answer the Senator's question in that way, Mr. President, for this reason—I cannot be criticized either way; but I answer "yes and no" for the reason that for many many years China has really lived within itself.

Mr. TRUMAN. And is not that just exactly what the able Senator is advocating for America?

Mr. REYNOLDS. Not at all. China lived within itself for many thousands of years, for that matter, and began to trade with the world only when those from other sections of the world insisted upon the Chinese opening up their doors. As a matter of fact, we might say the same thing of Japan. According to my recollection of history it was in 1853 when Japan opened her doors to trade with the outside world. At that time the Japanese nation was a hermit nation. The Japanese had never traded with the outside world. They were satisfied with their lot upon a few islands; but in 1853 our Government dispatched to Japanese waters an admiral by the name of Perry. If I am wrong, I wish some Senator would correct me. I am just stating the matter from my recollection. I am subject to correction, and I recognize that I am not infallible. But in 1853 we dispatched an admiral by the name of Perry to Japan with instructions that he should open up the gates of Japan to the commerce of the world, figuratively speaking, not literally speaking. We gave him instructions to the effect that if diplomatically he prevailed upon the little yellow men of the far-off islands to

trade with the outside world, all right, but if he could not do it diplomatically he was physically to tear them open.

Mr. NORRIS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Nebraska?

Mr. REYNOLDS. I am very glad to yield.

Mr. NORRIS. I should like to ask the Senator if he thinks our action in giving such a command to the American admiral was right and if he approves it?

Mr. REYNOLDS. No; I do not.

Mr. NORRIS. I am glad to hear the Senator say that, because I have no doubt whatever—it seems to me fundamental—that if Japan did not want to trade with us or with anybody else, and wanted to live within herself, that was her right.

Mr. REYNOLDS. Absolutely.

Mr. NORRIS. But does not the Senator perceive a difference between Japan's saying, "We want to live within ourselves, and we do not want to trade with you," and Japan's saying, "You shall not trade with this other nation"?

Mr. REYNOLDS. A very great difference; and I thank the Senator immensely for that observation.

Mr. President, they did trade. Trade then began between the United States and Japan, according to my recollection of history; and I further recall that prior to the time we brought about trade relations between the United States and Japan, prior to our going there, other nations of the world had endeavored to prevail upon the little yellow men of the Orient to open up their gates and trade with the world; but they had not been successful. A few years after the Japanese opened up their gates to trade, along about 1860, unfortunately we found ourselves in the midst of civil strife, a civil war, one of the most unfortunate things that ever occurred in this country. From 1860 to about 1867 or 1868, or something like that, all the people of the United States were so busily engaged in internal matters that we ceased to trade with almost any other of the countries of the world. When the Civil War was over, however, and we went back there to resume our trade relations, we found that the Japanese had made tremendous progress, and that they had their merchant marine, their ships flying their flag on the seven seas of the earth, and all of the other nations were trading with them.

When Japan looked out of the window at the world and viewed the progress which had been made by all the civilized nations of the earth she was inspired by all she saw, and she began to make progress very rapidly. And, lo and behold, we find Japan not only making progress rapidly, but we find at the same time the birth rate keeping pace with her progress.

The acreage in Japan suitable to agricultural purposes is extremely limited. The area upon which her millions of people may find a livelihood is greatly restricted, and with her population increasing tremendously all the time, Japan of necessity had to become an industrial nation.

Many years ago Japanese were permitted to settle in almost any country of the world. As a matter of fact, there was a time when we permitted Asiatics to come to this country without any limitation, and according to my recollection, the Asiatic Exclusion Act was passed about 1882. The various countries of the world began to formulate and to pass immigration restriction laws. Then we find that within a few years the Asiatics were barred from this country. Our Government would not permit the Japanese any longer to come into our borders, and the other nations of the world would not permit the Japanese to enter their gates. As a result, the fast increasing population in Japan had to remain upon Japanese soil, and, in view of that fact, Japan, of necessity, from the standpoint of self-preservation, was forced to industrialize.

When any country industrializes, as all Senators know, that country must be possessed of the fundamentals of industry, and such fundamentals are iron, copper, timber, oil, cotton, and perhaps other agricultural and mineral products.

Mr. NEELY. And coal.

Mr. REYNOLDS. I thank the Senator from West Virginia for his contribution. He says coal is one of the essentials. West Virginia is a great coal-producing State, and some of the finest coal to be found upon the face of the earth comes from West Virginia. If it were the worst coal upon the face of the earth I would declare it the best, I think so much of the able representative from that State in the Senate.

Japan was not possessed of all the essentials I have mentioned. Japan has some virgin timber. Some of the finest forests I have seen anywhere I have observed in Japan. As I stand here today, Mr. President, I see in the rear of the Senate Chamber two of my distinguished colleagues from the other House of the United States Congress with whom, fortunately for me, I was in Japan in 1935, at which time we saw many of those fine virgin forests.

A nation which industrializes, of course, must have electricity produced by water power. Japan today has developed almost 95 percent of its potential horsepower. While, as I have said, Japan has some virgin timber, she has not enough for a great industrial nation. Japan has a population of about 69,000,000, and every inch of her land is intensively cultivated. As a matter of fact, a big ranch in Japan is about the size of the Senate Chamber. Japan produces some iron ore, but it is of a very poor grade. She produces a little copper ore, but not of very good quality. She has no fields upon which she can raise cotton. Even if she had the fields, the climate is not suitable to the production of cotton.

This brings us to the question of industrialization as it affects cotton. Japan industrialized, as she had to. She was forced to it. She had to make it possible for her millions upon millions of people, who reside upon a little bit of land, to make a living. She had to do the same thing England did years and years ago. She had to do the same thing Italy did just a few years ago. Japan industrialized.

It was a sad day for us in the United States and for the forty-odd-million people of the British Isles when Japan industrialized, because she became a very great competitor with the textile industry of America and the textile industry of the British Isles. She became such a great competitor with Great Britain that, as the records show, the textile operators of Great Britain were forced to dismantle many of their textile plants and move the spindles and other equipment to Bombay, Calcutta, and half a dozen other places in India where cotton is grown in order to compete with the Japanese textile industry.

The Japanese became more and more ambitious, and Japan decided that, regardless of what the world thought, she was going to take what she wanted; it did not make any difference whether it belonged to her or not; that she was going to war on somebody, and she has warred on China. She wanted to produce cotton. She had been buying cotton from us. I am sorry we do not sell her as much cotton as we used to. In 1935 we sold Japan about \$115,000,000 worth of cotton, and of the \$115,000,000 worth of cotton we sold her about \$15,000,000 of finished cotton products were sent back to the United States, and of every \$115 she sent to the people of the South who produced cotton in 1935 the American people gave back to the Japanese about \$15.

Japan decided she wanted her own cotton fields, so she went into the finest portion of China and just took it. She grabbed off a piece of territory there now called Manchukuo, which is about the size of France and Germany, and in that territory there are today residing about 120,000,000 Chinamen.

Japan grabbed that territory for many reasons. She grabbed it because it is a section which produces soybeans. It is a section in which is found some virgin timber. It is a section in which some oil has been discovered. It is a section wherein there are mines, where are found gold, a little silver, some copper, and some coal.

Japan grabbed that territory not only for the reason I have stated but she grabbed it also because it was that portion of northern China closest to the border, recognizing, as she does, that the day will come when Japan will have a showdown with Russia. That showdown would be today, Mr. President, were it not for the fact that the Russian Government is afraid of internal revolution. The only reason upon

the face of the earth that keeps Russia from striking at Japan today is that Russia is afraid of internal revolution.

In 1931, when Japan took over Manchuria, we had as our Secretary of State Mr. Stimson. We protested against that invasion by the Japanese. We protested against the conquest of that fine portion of China by the Japanese, and we let our protests be heard across the sea, where they could reach the ears of our British brothers, who today are clamoring and praying that we will draw their chestnuts out of the fire in China. Our brethren across the sea did not hear us, they did not heed our warning, they did not desire then to provide the United States of America with full cooperation in their protest against the seizure of lands in China. If they had done so, the probability is that what is taking place today in China would not be happening.

We all know that the Japanese have formulated in their minds a desire and an ambition to create what will be known as the Empire of the East. Japan expects to take over the greater portion of China. She has already run roughshod over Shanghai, the largest port of all Asia. She has gone northwest and has taken over the northern capital, Nanking. She is ambitious to go along the coast, and if Senators will follow the map with me in their minds we come to Hong Kong, an island owned by the British Government. From there Japan is desirous of proceeding northward up the river to Canton, a city of about a million inhabitants 70 miles above Hong Kong, and then back across, which will mean the greater part and the better part of all China.

Japan wants China for another reason, namely, that she may increase the production of cotton in China in order that it may be used in her innumerable textile mills to be found in Yokohama, in Tokyo, in Kobe, and in half a dozen other cities of the island empire.

Some very fine cotton is produced in China. I am happy to find here listening to me my two colleagues from Georgia the senior Senator [Mr. GEORGE] and the junior Senator [Mr. RUSSELL] from my sister State. They are intensely interested in the subject of cotton, and are concerned because they are interested in their constituents, believing, perhaps, as I do, that the day will come when we in North Carolina and they in Georgia will experience great difficulty in competing with the other cotton-producing countries of the world.

Japan wants to increase the acreage of cotton in China because Japan has already spent millions of dollars and invested millions of dollars, as we all know, in innumerable textile plants all over China, and she buys her cotton in China and ships it into the textile plants by trucks. It is not necessary for her to buy cotton in China and ship it by steamer to her plants in Japan. She has innumerable plants in China. Japan, the ambitious little yellow man of the Orient, in my humble opinion is not going to be content with chopping off the greater and the better portion of China. Japan's ambitions reach 1,400 miles farther. Japan's ambitions reach from Hong Kong, China, an island owned by the British Government, for a distance of 1,400 miles to Singapore, where East meets West.

Mr. President, is that true? Let us see. A year after I entered the United States Senate I made the prediction that the day would come when the ambitious yellow man of the Orient would attempt to seize the British-owned island of Hong Kong, and a greater portion of China than she seized in 1931, the year before I was elected to the United States Senate; and I wish to declare to the Senate that every single prediction I have made in regard to these matters has come true.

Let me remind Senators of something more recent. It was only a few days ago that I predicted that unless we withdrew our marines from Asiatic shores, unless we withdrew our gunboats from Chinese waters, a *Maine* incident would happen over there, which, if it would not involve us in war, would tremendously embarrass us. I made that statement 2 weeks ago on Saturday. On Sunday our gunboat, the *Panay*, was sunk in Chinese waters; and on Monday I took the floor of the Senate and reminded Senators of the fact that my prediction had come true. But I thank

God for America that that incident occurred the other day, and not 40 years ago; because if that incident, the sinking in Chinese waters of an American gunboat flying the American flag, had occurred 40 years ago, war would have been declared.

Mr. President, what happened 40 years ago? In the harbor of Habana—one of the most beautiful harbors in the world, only an hour's flight by airplane from Miami, Fla.—we had a battleship, the *Maine*; and one night it was sunk. Who sunk it we do not know. We perhaps never shall know. We went to war over it. Someone said to me the other day, "If we keep our battleships and gunboats over there, some of those Chinamen are going to blow up about a half dozen of our gunboats, and we will swear it was done by the Japanese, and then we will go to war."

I predicted several years ago, just after the Japanese took Manchuria, that the day would come when the Japanese would try to take Hong Kong. Let us see how near right I was in that prediction. The other day the Japanese had 40 planes over Canton. Already many times the Japanese have bombed from the air the city of Canton, which is only about 70 miles from Hong Kong, and thousands upon thousands of refugees are trickling down to and onto the island of Hong Kong. The British have been expecting this for a long time. They knew that the day would come when they would have trouble over there. Why do I make such a statement? I make it because there are men in this body who must of necessity substantiate what I say in regard to fortifications over there. What is it? During the past several years the British have expended a great deal of money in re-fortifying the island of Hong Kong. Why? Because they knew that the day was coming when the Japanese were going to try to take the island of Hong Kong in carrying out their ambition to create the empire of the Orient.

I shall go further, as I did a moment ago, and state that their ambitions, unfortunately for the civilized people of the world, do not end there. I stand here condemning the Japanese for the outlandish, outrageous murder that is being committed daily and hourly in China. Their ambitions will carry them further. Their ambition, which this hour carries them to Singapore, a distance of 1,400 miles from Hong Kong, carries them beyond that point. It carries them a distance of 2,400 miles from Hong Kong to Darwin in Australia.

Mr. President, we know the Japanese have their eyes set upon some of the islands of the Dutch East Indies. Why do I say that? Because today some of the finest and most valuable untouched oil pockets in the world are to be found in the Dutch East Indies. Those islands are almost in a line which extends from Hong Kong through the Dutch East Indies southward to Australia. That is the situation that exists there. Where it is going to stop no one knows. However, we know that the people of America are opposed to the unwarranted killing and murdering of innocent persons, many thousands of whom lie buried today in unmarked graves in the soil of Asia.

At Christmas time, when we all went home, I was thinking about all this. At that time of the year we talk about peace. That is a time when we should be friendly with all the people of the world. I then stopped to think of all the trouble that is taking place in the world, particularly in Japan and China. As I stated on the floor of the Senate the other day, of course, we are interested in what occurs over there.

By the way, I was reading a newspaper just a moment ago, while I was sitting in my chair here, and I saw the statement that we have not much money invested in China. One of my colleagues the other day introduced a resolution inquiring into the amount of capital we had invested in China and the number of American citizens we had over there, and so forth; and I saw that our Secretary of Commerce this morning revealed that the American people have only something like \$140,000,000 invested in business enterprises over there, and in connection with missionary work about \$40,000,000. In other words, all of the investment will not exceed the amount that I stated the other day on the floor

of the Senate; that is to say, \$250,000,000. Our investment in China will not go beyond that figure.

The article which I read in the newspaper this morning stated that the investment in China by the British was six times as much as the investment that we of America have over there. It is a great deal more than that. From the investigation I have made, from the information I have had furnished to me from time to time in the course of several years, I am inclined to believe that the British investment in China will run around a billion dollars. It has been estimated by some that it is two or three billion dollars. There is no way of getting the exact amount of it. We can only make estimates from time to time.

The investments maintained there by the British are a great deal more than the investments that we of this country have over there. We, of course, are not going to follow the American dollar around the world to protect it, because if we start to follow the American dollar around the world to protect it we are going to become the greatest travelers upon the face of the earth.

The other day I read in a newspaper that those who have invested in oil in Mexico, where they tapped some fine wells, are calling upon the American Government to provide them with some sort of protection. American dollars ought to be found everywhere, but the American investor must know that we are not going to permit him to involve us in war on account of the few dollars he has invested in foreign lands. I think he had better invest his dollars here.

Let us see what has taken place further. Italy is not a large country. As a matter of fact, the Italians have great need for land for the purpose of expansion. Until a few years ago, when we passed our immigration laws, thousands upon thousands of Italians came to this country yearly, without any restriction whatever upon immigration. After the passage of the Quota Act of 1924, immigration not only from Italy but from all other countries of the world was materially restricted, as we all know. But we could not pass any laws in this country that would reduce the birth rate in Italy or in any other country. The birth rate in Italy has continued to be just as great as heretofore. The difference is, however, that the excess population of Italy, which heretofore had been coming to the United States or going to other countries, no longer was allowed to emigrate from Italy, because the United States and other countries enacted certain immigration laws which prevented its coming into this and other countries.

As the result of its limited territory, Italy had of necessity, just like Japan, to become an industrial nation. Italy, like Japan, in order successfully to become an industrial nation, in order to feed her many millions of people, had to have certain essentials, such as timber, iron ore, oil, and all that sort of thing. Perhaps she needed cotton land. Italy went ahead and expanded. What did she do? She had a little old strip of land on the coast of Africa called Italian Somaliland. Italian Somaliland, as Senators will recall, is just below French Somaliland. The railroad leading from French Somaliland, the capital of which is Djibouti, up to the capital of Abyssinia, is about 450 miles in length. The ride is a very interesting one. If Senators ever get an opportunity to take that trip, I recommend that they take it. The country is very interesting.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. REYNOLDS. I gladly yield to my friend the Senator from Washington.

Mr. SCHWELLENBACH. Will the Senator kindly explain to us whether this ride is as interesting as the one to "the little gem city of the mountains"?

Mr. REYNOLDS. Mr. President, I thank my beloved friend for that contribution, particularly because it again provides me an opportunity to speak of one of the most beautiful cities in the world. The city which my good friend from the great State of Washington has in mind is none other than my home city, Mr. President. My home city, as anyone may know who sits within the sound of my voice, either in this Chamber or in the gallery, is Asheville, N. C.,

located in the mountains of western North Carolina. It has a population of 50,000 people, and is only a stone's throw from the entrance to the Great Smoky Mountains National Park, a park which last year entertained more than 700,000 visitors—200,000 more visitors, Mr. President, than visited the Yellowstone National Park of Wyoming.

Yes; Asheville, N. C., sits 2,300 feet above the blue waters of the Atlantic, and it rests there beneath the shadows of Mount Mitchell, the highest peak east of the Rocky Mountains.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Washington?

Mr. REYNOLDS. I gladly yield, if it will provide me an opportunity to say more about one of the greatest States in the Union, North Carolina.

Mr. SCHWELLENBACH. I remember well that last fall, when the Senator was in Seattle, describing this gem city of the mountains, he said that Asheville was 2,900 feet above sea level. Has it come down since then, or was the Senator merely exaggerating a little for the benefit of my constituents in Seattle?

Mr. REYNOLDS. If my dear friend says that I said 2,900 feet, he is right. I was speaking then of one of the lower levels of my city. [Laughter.]

Mr. NEELY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from West Virginia?

Mr. REYNOLDS. I am delighted to yield to the Senator from West Virginia.

Mr. NEELY. Mr. President, may I suggest that the able Senator from North Carolina has neglected to tell the Senate and the country that the Biltmore Industries in Asheville, N. C., make the best homespun wearing material in the world.

Mr. REYNOLDS. I am glad the Senator has mentioned that fact. Biltmore homespun, mentioned by the Senator, is one of our many industries there. The plant is owned and managed by one of our most distinguished citizens, Mr. Fred Seely, and the reputation of that cloth has found its way around the world. We have many interesting spots in Asheville, and I hope that all those who are hearing me today will be provided the gloriously delightful opportunity of sometime visiting the Gem City of the South. By the way, I believe it to be desirable to say something about Seattle, in view of the fact that my good friend the Senator from the State of Washington, who made mention of my city provided me with the opportunity of talking about North Carolina.

I have been to Seattle many times. I think it one of the garden spots of the earth, and I think that the people of the State of Washington are unusually fortunate in being represented by the able Senator who honors me with his presence today. Seattle is a city of hospitality. Mr. President, I recall that once upon a time there was a great traveler, and an unusually fine lecturer, a man who had a capacity of putting his thoughts down in written words so vividly that the reader had but to read them and he could fashion in his mind the places described as well as if he himself had been the traveler.

That man's name was Stoddard. Once upon a time in the city of Paris he was being honored and entertained by those who admired and respected him. After a banquet when he was speaking there he said, "Paris! Paris, a city preeminently of pleasure." So I say, "Seattle! Seattle, a city preeminently of generous hospitality." It is a beautiful place; one of the most interesting places I have ever visited in my life. It is delightfully situated, just south of Vancouver, the capital of British Columbia, and no finer roadway or more beautiful scenery can be found anywhere than is to be observed southward from Seattle to Portland, Ore.

Now, Mr. President, getting back to the text, let us see what is taking place. I was going to refer to Ethiopia and Mussolini. The dictator of Italy had to industrialize his country in order to provide livelihood for some forty-five-odd-million members of the Italian family. He went into Ethiopia and conquered that country. He said that he had to fight Ethiopia because some of his sentries or patrolmen

there in Italian Somaliland had been attacked by the Ethiopians. At any rate, he went in there and conquered Ethiopia. Of course, we are all aware, knowing the territory as we do, that it will be many years before he will ever have that country in such a condition that it will pay him for the amount of money invested in the conquest. He is going to have some cotton grown there, I will say to the Senators from Georgia, who continue to lend me their ears, for which I express my appreciation. He is now buying many thousand dollars worth of cottonseed from the producers of our country. Prior to the advent of Mussolini in Ethiopia cotton had been grown there. The Japanese had gone in there and had been producing poppy for the purpose of making opium, and had also cultivated considerable areas of cotton in Ethiopia. Now, Mussolini, the dictator, is going to find there virgin timber; he is going to find the great cotton plains; he is going to find pockets of oil; he is going to find everything that the Japanese know is to be found and have found in China.

The situation in Europe is very interesting. I can see, as a matter of fact, that it is peculiar. I can see the nations of the world before us now lining up against one another. Who are they and what is the situation? The press tells us, and we know, that Japan, Italy, and Germany are lined up together. Who is on the other side? Great Britain, Belgium, France, and Russia.

Mr. RUSSELL. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Georgia?

Mr. REYNOLDS. I gladly yield.

Mr. RUSSELL. I should like to hear the Senator from North Carolina discuss the position in this line-up of the nations situated in the Balkans.

Mr. REYNOLDS. I will be glad to mention that. Let us visualize in our minds the map of Europe. We find a strip of land that is not unlike our State of California. I refer to Italy. Right down the middle of Italy is a backbone in the form of a mountain. To one side of that strip of land is the Adriatic Sea. On the other side is what is known as the Mediterranean; to the north are the Italian Alps. Italy today would have been a communistic state had it not been for the fact that Mussolini marched upon Rome only a few hours before the communistic march was scheduled. Mussolini has obtained control of a kingdom that is just across the Adriatic, the kingdom of Albania. By having gained control of Albania he has made an Italian lake of the Adriatic Sea. To the east of Albania we find—and it is of interest to us in the world set-up—Yugoslavia, Rumania, and Czechoslovakia. The Italians are opposed to the Russian form of government. When the world line-up comes you will find, Mr. President, Italy and Germany arrayed against Russia.

Recall now with me the map of Europe. It will be found that between the northern portion of Italy and Germany there is a small country designated as Switzerland. When the line-up occurs, and when war takes place, Switzerland will no longer be able to maintain her neutrality, because there will not be any country there to be neutral. Germany and Italy will walk right over Switzerland, because Switzerland is right between them. By looking at the map of Europe it will be found that between Italy and Germany is little Switzerland. Then to the east are Austria and Hungary. Let us get the picture, so that I may explain to my good friend the junior Senator from Georgia in what direction the Balkan States will cast their die.

Mr. President, in northern Africa, from Casablanca following the shores of the Mediterranean, there is a roadway frequently traveled by American and other tourists, a roadway stretching across almost 4,000 miles to Port Said in Egypt. We find the Italian influence along the shores of the Mediterranean in northern Africa tremendously pronounced, despite the fact that those who control along those shores are not only Italians but French and British, and the Portuguese also have some influence there. Mussolini, the dictator, has possession of islands in the middle of the Mediterranean, and he has so well played his checkers that Italy today can destroy the life line of Great Britain any

minute she wants to. Mr. Eden, the Foreign Minister of Great Britain, knows just as well as I do or as does anyone else who knows anything about the situation that Italy today is in a position to destroy Britain any time she wants to do so.

That is a big statement for anyone to make. Let us see whether or not I can prove it. I say, Mr. President, that I can. What do we find in the Mediterranean? In the first place, the life line of Great Britain leads from London or Liverpool southward to Gibraltar. There it turns to the east and runs through the Mediterranean to Port Said. Then it proceeds through the Suez Canal into the Red Sea and the Indian Ocean to Bombay and Calcutta, in India, and then southward through the Dutch East Indies and Borneo, which is the only possession the British have in the Dutch East Indies; thence south to Brisbane, Melbourne, Sydney, in Australia, and Wellington in New Zealand. That is what is known as the life line of Great Britain. It is called the life line of Great Britain because over that line there are to be found riding the seas the ships that operate from Great Britain to all her possessions.

Great Britain today is more gravely endangered by the world situation than is any other nation upon the face of the earth. Great Britain today controls 25 percent of the earth's surface. Mussolini has won the war in Spain. We all know—there is no use beating around the stump—that Mussolini has been fighting in Spain. We all know that his general in charge there up to the present time has obtained control of about two-thirds of Spain. We all know that within the next 8 months the rebels will have won in Spain, and will have taken over all the government, including Madrid, the capital; and I am mighty sorry that they are destroying that beautiful city.

I have always liked Madrid. I think it has one of the most interesting museums in the world. I remember that I visited Madrid when I was quite a boy. I used very frequently to work my way across the ocean on cattle boats when I was a boy; and one of the first places I visited on my trips around the world was Madrid. I tramped from Lisbon, Portugal, across the mountains up to Madrid—a very interesting trip—and I remember that in the museum at Madrid I saw the tent which Columbus was supposed to have used in October 1492 when he discovered America. The art galleries there are really magnificent and worth while. I hope some of the art may be left for the eyes of the world. Anyway, we shall find that the rebels are going to win over there and take over all of Spain within about 8 or 9 months.

Then there is little Portugal. Portugal is just a little strip of country, but it has a beautiful port and a lovely city. I remember its Black Horse Square, and I remember Portugal particularly well because I went up to the palace of the King and went to the stables. I could not get in the palace. I was just a poor boy from North Carolina, and I went up to the stables to look at the horses, and, lo and behold, I found an old dinky from North Carolina, who was one of the stable men, away over there in Portugal. I never was so glad to see anybody in my life. It was like coming home.

Portugal is a little bit of a country. Its population is less than the population of the city of Chicago. It is less than the population of the city of New York; and although Portugal is more dependent for its livelihood upon Great Britain than upon any other country in the world, although Portugal depends upon Great Britain for its living, the sympathies of the Portuguese are with the rebels of Spain. That is what I have been told by those who have been there since the revolution has been going on. Of course, all they have to sell in Portugal is a few fish and a little wine and some cork. I am told that Portuguese wine is very, very good; but those things are about all they have to sell. They sell most of them to Great Britain; but despite the fact that the Portuguese are dependent upon Great Britain their sympathies are with the rebels in Spain.

The islands in the Mediterranean, from Gibraltar to Port Said, are heavily fortified. I say to you today that any merchant ships or any portion of a fleet plying the waves of the Mediterranean between Gibraltar and Port Said could be

stopped by the Italian island fortifications and their submarine bases. But suppose the Italians did not stop the vessels there; suppose they wanted to destroy the lifeline of Great Britain. At any time they wanted to do so, when a British ship got into the Suez Canal, the Italians could blow up the ship, and Great Britain knows it. If the Italians should miss the ship there—they might miss it, because Aden, in Arabia, is fortified by the British—if they should miss getting it there, Mr. President, and if the British ship got through the Suez Canal—and the Suez Canal is a part of the life line of Great Britain—there is the Italian territory of Eritrea on the right-hand side after you leave the Suez Canal and go southward through the Red Sea, and that has been heavily fortified by the Italians.

The British know that. They know it so well that within the past few months they have acquired property only a few miles from the capital of Trinidad, at Port-of-Spain. Why? They have acquired territory there for the purpose of building immense shipyards and drydocks. Why does Great Britain want to build them there? Why, Trinidad, Port-of-Spain, is only a few miles from our possessions. It is in the West Indies. This territory has been acquired because Great Britain knows that the day may come when the Suez Canal will be closed, and when it is closed she wants to use the Panama Canal.

The last time I was at Port-of-Spain, just last year, I went out to see the property which I had been advised had been acquired by Great Britain—an immense piece of property that the British have acquired there. The British know that the situation is as I have stated. We all know the great lion of Great Britain, or, as he is sometimes represented, Uncle John Bull, with his muscular neck and massive shoulders. Do you think he would let any little Italian slap him and kick him any time he wanted to? Never in the world. But that little Italian fellow has been slapping Uncle John Bull on one side and on the other and kicking him in the seat of the pants for years upon years. Great Britain has never submitted to so many insults in her whole previous existence as she has within the past few years. Why? Let us see.

Great Britain did everything in the world she could do to keep Mussolini from going into Ethiopia; did she not? She certainly did. She tried to call in all the facilities provided by the League of Nations. What did the British find? They found that they could not get the League of Nations to do anything. Senators will remember that in 1935, when the war in Ethiopia was at its height, the League of Nations were doing their very best to impose sanctions against Italy; and they knew that sanctions upon anything would not do any good unless they provided sanctions upon oil. Any nation that goes to war has to have oil, and a great deal of it.

In November of 1935 Mr. Anthony Eden, who was in charge of the foreign affairs of Great Britain, tried to get the members of the League of Nations to join in imposing sanctions on oil against Italy; and at that very time Mr. Anthony Eden did his level best to get the United States of America to join Great Britain and the other members of the League of Nations in sanctions against Italy on oil. That was in 1935; and Senators will remember that in November of 1935 there was more British naval tonnage in the Mediterranean, assembled around Alexandria on the northern coast of Africa, in Egypt, than has ever before during the history of the world at one time been in the Mediterranean.

Mr. CONNALLY. Since the Battle of the Nile, in Nelson's time.

Mr. REYNOLDS. I mean in peacetime, or even during Nelson's time. I beg to differ with the Senator; if he will look at the World Almanac, I think he will find that there was more tonnage there then. When the United States could not be prevailed upon to join in sanctions against Italy, or to become involved in any entanglements, in less than a week the British fleet moved out of the Mediterranean away from Alexandria.

Now, what do we find? We find that if and when the rebels conquer all of Spain—and I predict that they will do so—it is going to render Gibraltar almost useless. The

Rock of Gibraltar will have lost its usefulness. It will have outlived its usefulness as a result of the victory of the rebels of Spain, supervised by the Italian Government.

Why are the French so greatly interested in this thing? The French have possessions in northern Africa. Some of the finest wheat fields upon the face of the earth are to be found upon the soil of French possessions in northern Africa. The wheat raised there, as your geography will tell you, is sufficient to feed the whole of Europe if not a grain of wheat were raised in all of continental Europe. The French are vitally interested in that, because if at any time the Italians should desire to stop the transportation of anything from the French possessions in northern Africa to Marseilles, or other ports in France, the Italians could prevent it. So the French and the British are equally interested in their opposition to the march of the Italian Empire, because Mussolini is in a position to destroy the life line of Great Britain at any time he wants to do so, and under the present set-up Mussolini is in a position to stop the plying of any ships from the colonies in northern Africa to the ports of France at any time he wants to do so.

Now let us refer to Germany. Germany declared war in August of 1914. Germany was brought to her knees in defeat on April 6, 1917, when the United States entered the World War. That was the day on which Germany experienced defeat. It is an unfortunate thing, Senators, that we became involved in that war. It is an unfortunate thing for many reasons, perhaps; but I am not going to argue all of that. The armistice was declared on November 11, 1918. I am going to say a little something about that war, because I want our people to stay out of any other war.

Did you ever stop to realize that during our very brief participation in the World War, from April 6, 1917, until November 11, 1918, we had under arms and in uniform 4,400,000 men? Did you ever realize that our brief participation in that war has cost the American taxpayers to date \$67,000,000,000?

President Calvin Coolidge once made the assertion, in the form of a prophecy, that before we finish paying the total cost of that war we shall have paid out \$100,000,000,000; and that is true. But wars, as Senators know, are not paid for by dollars and cents in the currency of any country. War debts are liquidated only by the cruel tears that trickle down the cheeks of the mothers of the country; and we of America are not going to indulge in any other war until all the American mothers who lived during the days of our participation in the World War are dead. Were it not for the mothers who are living in America today and who remember our participation in the World War we would be at war right now; but thank God for them, and may they live many, many years to come. Today our former Allies owe us billions of dollars. At the end of the war, when we were considering the treaties in Paris, I believe it was estimated that they owed us \$22,000,000,000. As a matter of fact, we wanted to help them. We felt sorry for them, and we cut the debt 50 percent, cut it down to eleven billion, but since then they have paid us little, and now all of them are swearing that we did not have a thing to do with winning the war.

Mr. DUFFY. Mr. President, will the Senator yield?

Mr. REYNOLDS. Certainly.

Mr. DUFFY. On the occasion of the dedication of some of the battle monuments in France late last summer Marshal Petain, who was one of the principal speakers, I believe at Montfaucon, gave testimony just to the contrary, stating that if it had not been for America's participation in the war the Allies would not have been successful.

Mr. REYNOLDS. Exactly. I think I saw him on the screen and heard his voice. He made the statement the Senator has repeated. It was the most diplomatic thing he ever did. He knows that we Americans are subject to flattery, and he thought that he would get us to cancel the war debt altogether, and I believe he thought that we are such simps they could get us to lend them more after we had canceled the debt.

Mr. DUFFY. If the Senator will yield further, I am not suggesting that he join the "Inconsistency Club," but I under-

stood the Senator to say a moment ago that there was no one in Europe who had recognized or had stated that this Nation had any part in the winning of the war. I merely wanted to call the Senator's attention to the fact that a very distinguished leader who participated in the war seems to be of a contrary opinion and has not hesitated to give voice to that opinion in public.

Mr. REYNOLDS. I thank the Senator very much. Of course, I know that there are some intelligent people of Europe who are grateful for our participation, but I say the great masses of the people there do not think we had anything to do with the situation at all.

Mr. President, the American people hate war. If they can help it, they will not get into another war. The American people are peaceful. I was happy not long ago to hear from the lips of President Roosevelt, or to read that he said—I have forgotten which—that it is a fortunate thing that the people of the United States are spending their profits, their millions, indeed billions, upon peaceful progress rather than spending their money in preparation for another world war.

Ever since the Germans were overwhelmed they have had it in their minds to get even with France. Let us see what the situation is. Poland is between Germany and Russia. France has thought that she was going to be attacked some time in the future by the Germans in order to get even, so that the first thing the French did shortly after the war was to make friends with the Polish people. She loaned Poland money, billions of francs, and much of the heavy artillery for the frontier that has been manufactured in France since the end of the World War, up until a few years ago, has been sent to Poland. Why did the French do that? Because the French realized that Poland was right at the back door of Germany, and that whenever Germany attacked France, whenever Germany came out of the front door to attack France, the Polish people could come out of their front door and attack the Germans from their back door.

We find, however, that the Germans are pretty astute. The Germans have had agents in Poland for many years, and within the past few years the influence of the Germans in Poland has been so tremendous that of late France has not been making loans to Poland, and she has not been shipping the heavy artillery, or "frontier pieces," so to speak, to the borders of Poland adjoining Germany.

Right behind Poland is Russia. Russia has a population of nearly 180,000,000. Russia extends, on the one hand, from the Scandinavian countries of Norway, Sweden, Denmark, and Finland more than 4,000 miles to the Pacific, and from her capital at Moscow, weaving its way across the valleys and the great deserts, through tunnels under the mountains to the Pacific, runs the Trans-Siberian Railway; and, of course, there is a fairly good line of railway from Leningrad, old Petrograd, to Moscow.

Shortly after the World War we had soldiers in Russia. Why we ever sent any American soldiers to Russia I do not know; but, of course, we all are aware that we did try to give aid to the Whites during their contest with the Reds during the revolution in Russia.

Russia has become industrialized, and I think that is one mistake they have made. Russia is three times the size of the United States. It covers one-sixth of the earth's surface. It is essentially an agricultural country. Under the old Czars it was never anything but that. Everything Russia needed of an industrial nature was imported.

When war finally comes there will be an alliance between Japan, Italy, and Germany, and Russia will be lined up against them. Whether the fighting will begin on the Pacific at the Japanese end or whether it will begin on the German or Poland end no one can tell at the present time.

Let us look further at the map, covering that portion of the world from England to Yokohama, in Japan, which includes, of course, continental Europe and the Balkan States, which have been mentioned.

As I stated a moment ago, if we look at the map of Europe, we will find Italy and Germany separated only by the little country of Switzerland and by Austria, and to the right of Austria we find the Balkan States.

When we draw a line from the heel of the boot of Italy across to Hamburg, Germany, we find that the line goes right across Switzerland, and that to the left of that line is the lovely little country of Holland, with the beautiful cities of Amsterdam, Rotterdam, and The Hague. We find Belgium with its lovely capital of Brussels and its fine seaport, Antwerp. We find the British Isles, Ireland, and Scotland, with the great seaports of London and Liverpool. We find a marvelously lovely country, and of course a historic one, by the way, from London to Liverpool, a magnificent road, over which the motor will carry one by Oxford University, Warwick Castle, and Birmingham, the great center of the production of silverware. There is Kenilworth, and did not the novelist Sir Walter Scott write a book called Kenilworth? It is an old castle surrounded by a dry moat. Then there is Stratford on Avon, where William Shakespeare lived, where Anne Hathaway, a girl in whom he was interested, lived across the field, with a little path leading from his house to her door.

There is the lovely city of Chester. Then we get to Liverpool, and there, in the great square in the center of that city, we find sitting astride a prancing steed of copper, Lord Wellington, who defeated Napoleon at the Battle of Waterloo in 1815, I believe it was. If I go wrong in my dates I hope Senators will correct me.

We not only find on the left side of the line which I drew a moment ago the Netherlands, Belgium, France, the British Isles, but we find Spain, separated from France by the Pyrenees Mountains, and right on the border between Spain and France is the smallest republic in the world, called Andorra. It has a population of only about 5,000 people. The next smallest republic in the world is located in Italy. It has a population of 13,000. In addition to Spain being on the left side of that line, there is Portugal, with a population, as I stated a moment ago, of less than the population of either Chicago or New York.

When the line-up comes, I believe we will find Yugoslavia and Rumania with Japan, Italy, and Germany. In the first place, Mussolini has made an Italian lake out of the Adriatic Sea by gaining control of Albania. At the seaport of Albania he has spent many millions of dollars within the past few years in building drydocks and acquiring for himself one of the finest of ports to be found in any of those waters.

Again consulting the map we find that if Mussolini wanted to attack Russia—and when the war comes I think all of us believe the world will be involved—the attack could come from two directions. One attack would be through Poland by the Germans. They would follow substantially the same route that was followed by Napoleon when he entered Russia for the purpose of making a conquest. The other route would be from Italy across the Italian Adriatic lake to Albania, and then across Yugoslavia and Rumania into Russia north of Odessa on the Black Sea.

It is surprising to find how unprepared we are in comparison with other countries. I just happened to think of Rumania. Rumania has an army much larger than the army of the United States. Prior to the breaking out of the civil war in Spain, Spain had a standing army larger than the standing Army of the United States, despite the fact that Spain then had one commissioned officer to every six privates. I think Spain had something like 47,000 generals. There were more generals than there were in Mexico.

When the great world war of the future shall occur, in which certainly Russia, France, Great Britain, Italy, Germany, Japan, and innumerable other nations will become involved, it will be found that Russia will be attacked by the Italians through Yugoslavia and through Rumania, beginning with the portion of Russia north of Odessa, which will bring the attackers in line to make utilization of the railroad leading from Odessa on the Black Sea to Moscow. We shall find, on the other hand, that the Germans will attack, as I stated a moment ago, through Poland on to Leningrad and Moscow. I am very hopeful that we of the United States may be able to escape this world war which eventually will come.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. RUSSELL. Before the Senator leaves his able and interesting discussion of European affairs I hope he will give the Senate the benefit of his opinion with respect to the justice of the German demand for the return of its colonies, and also give us information that I know he has acquired by first-hand visits to the German colonies. It seems that all the present-day historians agree that that is one of the questions which potentially holds much danger for the peace of Europe and the world.

Mr. REYNOLDS. I thank the junior Senator for his interest.

Mr. President, I think that in Europe today a lot of horse-play is taking place. I think that in Europe today there is a great deal of brandishing of weapons and display of armament for the purpose of bluffing.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. CHAVEZ. Does the Senator mean that they are playing a little "bluff poker"?

Mr. REYNOLDS. They are playing bluff poker, absolutely.

Mr. CHAVEZ. With the deuce in the hole?

Mr. REYNOLDS. Yes.

Mr. RUSSELL. Mr. President, will the Senator from North Carolina explain what he means by that expression?

Mr. BARKLEY. Mr. President, will the Senator go further into detail about that bluff-poker business? I fear that most Senators do not understand the meaning of the term.

Mr. RUSSELL. I was asking the Senator to explain it.

Mr. REYNOLDS. I shall be happy to do so, and to give Senators an actual demonstration of it immediately after the adjournment of the Senate. [Laughter.]

Mr. President, Germany today is as well prepared for war as she was at the time the Kaiser was so thoroughly interested in war in 1914. Germany has been making war preparations since the ending of that war. The German youth in the German Army today does not remember the trying times that began for Germany in 1914. All Senators who have visited Germany—and all the Senators I see here, who constitute most of the Senate, have visited Germany from time to time—know that every single square hundred yards of Germany is intensively cultivated. As one rides along the Rhine from Cologne toward Heidelberg, the city containing the great, famed university, one sees old feudal castles. It is a lovely country. There is not a single strip of land which is not under intense cultivation. Today I understand that in Germany they are rationing butter and fat and sugar. How true that is, I do not know. That is my understanding.

Germany lost her colonies. Those colonies were mandated to other countries. The one nation which profited out of the World War, and the only nation which profited out of it, was Japan. She declared for the Allies, and innumerable islands were mandated to her which had previously belonged to the Germans.

By the way, if I may be permitted to digress for just a moment, I will say that the Japanese agreed not to fortify any of those islands. I read a report somewhere to the effect that an investigation had been made and it was found that those islands had not been fortified. I shall take the responsibility of saying, Mr. President, that if today we were to declare war against Japan, in the first place, we should not even attempt an invasion of Japan without having 2,000,000 well-trained men in uniform and under arms; and if today we were to declare war against Japan, it would take us 2 years to land any troops in Japan or in China. Ask experts about that matter and see whether or not that is true. Why would it take us so long? Because first we should have to cut down deadly mines and defense weapons in a thousand and one places under the waters through which our transports and our ships would have to plow to land troops or arms or ammunition or supplies for troops.

Hitler says that he wants the German colonies back. I say that if Hitler gets back the old German colonies, that is not going to satisfy him. Before the World War, what had Germany done with her colonies? Had the nationals of Germany gone into possession of the land in the colonies in South Africa? Had they gone to the islands of the earth

that were then possessed by the Germans? They had not. Germany had island possessions all over the earth. She had them even in the South Seas. She had them in the waters of Asia. If I am not mistaken, she had one or several islands in the China Sea. So, if Great Britain does give the African colonies back to Germany, that is not going to satisfy Germany. She was not satisfied with them before the World War broke out in August 1914, and if she was not satisfied then she will not be satisfied now.

Some people say, "What is the answer to this question? How is war going to be prevented?" Since history began to be recorded I believe mention has been made of more than 3,000 wars. We are today witnessing war in China, witnessing war in Ethiopia, witnessing war in Spain; and within 3 years, certainly 5 years, we shall perhaps be witnessing another great war. I do not know what is to be done. However, I have gotten to the point where I am interested only in the 130,000,000 people of America. I think it is high time, Mr. President, that we devote our energies and our thoughts and our best efforts to the people of the United States of America and quit thinking about the people in other parts of the world. They are not thinking about us. The only time they give us a thought is when they perhaps can borrow money from us or get something out of us.

I recall that several years ago I sat in the Senate and looked with admiration upon that able statesman, the senior Senator from Illinois [Mr. Lewis], who now occupies his chair in the Senate; and on this particular day he rose and said, "We people of America should turn our eyes southward with a view of getting the trade of the people who live to the south of us." Mr. President, since those words from his lips reached my ears I have constantly thought of that statement. It impressed me greatly then, because some years ago I was in South America visiting those countries; and I remembered from time to time having read of the great progress that those countries to the south of us were making; and I remembered that even at our back door our neighbor, Mexico, was making progress.

So I say, Mr. President, to those of our citizens who are simply brimful of energy, and who are seeking fights, let them devote their energies upon American soil, and let them fight the battles of the American people within the confines of the United States of America, and let them think in terms of America, as was suggested at the outset of my speech by the able Senator from the great State of New Mexico [Mr. CHAVEZ].

We are worrying about the trade we are about to lose in China. As is known, Mr. President, I believe our greatest customer is Great Britain, largely contributed to by our neighbors to the north in Canada. We very much dislike to lose the trade in China. We very much dislike to lose face by getting out of China. But I want to say, as I have said before, that I would much rather lose face than to lose American lives; and I say, let us lose face in the Orient if we must, but let us not lose any more American lives there.

I say, as the able Senator from the State of Illinois [Mr. Lewis] said, and as has been said repeatedly, let us turn our eyes southward. Let us endeavor to get the portion of South American trade which has heretofore been enjoyed by Italy, Great Britain, Germany, and Japan. To the south of us lie 22 republics. To the south of us are to be found 130,000,000 people, as many as we have in the United States of America. To the south of us are people who recognize that the products of American industry are far superior to the products of the industry of any other country in the world. The people of South America look upon American manufactured products as No. 1, those of Great Britain as No. 2, those of Germany as No. 3, those of Italy as No. 4, and those of Japan as No. 5. The Italians have a very good trade there. Our trade in South America I believe has increased considerably within the past 3 or 4 months. I think the records of the Department of Commerce will show that statement to be true. That, of course, is largely attributable to the fact that the other countries have not been able to continue their commercial activity because they have been unusually active in preparing for war.

For instance, many of the great factories in Great Britain heretofore engaged in the manufacture of agricultural machinery, much of which was exported, particularly to South Africa and the great agricultural section between Capetown and Johannesburg, have been converted into munitions plants. So it is with Italy.

Mr. CONNALLY. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Texas?

Mr. REYNOLDS. Certainly.

Mr. CONNALLY. I wish to say to the Senator from North Carolina that I have been greatly interested in his illuminating and informative address on the foreign situation. I was wondering, however, if the Senator's attention had been called to the rather complex and intricate situation now existing in Palestine as between the Arab contenders, on the one hand, and those who are undertaking to establish a settlement under the Zionist movement, on the other, and the implications and reactions on other foreign countries because of Great Britain's activity in that particular area of the world's disordered affairs?

Mr. REYNOLDS. Yes; I have followed that situation with a great deal of interest. I recall that several of our colleagues were there last year investigating affairs.

By the way, I wish to say to the Senator from Texas that within the next week I propose to discuss some very interesting matters not only in relation to the Palestine section but in relation to Greece, Iran, Syria, Afghanistan, Arabia, Turkey, and that general section of the world which has had very little attention by Members of this body within the past several years. I am going to approach it from an angle which, I believe, will be somewhat different from that from which it has heretofore been approached.

Mr. CONNALLY. I crave the indulgence and favor of the Senator that he will advise the Senator from Texas when and if he is ready to make that address, because I am extremely anxious to be present and hear the Senator.

Mr. REYNOLDS. I shall be very happy to advise the Senator.

Mr. President, the Senator from Georgia [Mr. RUSSELL], who is always interested in his constituents, who is always interested in the old South, and always interested in the prosperity of the people of Georgia, has just suggested to me that the cotton situation is of great importance, on account of the competition being provided by the Japanese. It is of great importance, and I know of the interest of the Senator from Georgia, because in his State there are many cotton textile plants, as there are in my State, in the State of South Carolina, and in the State of the able Senator who is now presiding over the Senate, the Senator from Massachusetts [Mr. LODGE]. We are more vitally interested than is anyone else. North Carolinians, South Carolinians, the people of Georgia and those of Massachusetts are more vitally interested and more vitally affected today than are the people of any other section of the United States. Why is that so? Let us see. Our people in North Carolina, your people in Massachusetts, Mr. President, the people of the State of the Senator from Georgia, the people of my sister State of South Carolina are complaining that the textile plants are not running night and day. They cannot understand it. To my mind, it is the most understandable thing in the world. There is nothing intricate about it; there is nothing difficult to understand. One merely has to look around, one merely has to dig, not deeply or at length, into textile history. What do we find? Great Britain manufactured great quantities of textile goods. Great Britain, by the way, like Japan and Italy, had to become industrialized in order to provide a livelihood for her people. Great Britain established innumerable textile plants, providing work for millions of people in the textile industry alone. She sold her finished products to the world. She bought her cotton from India; she bought her cotton from the United States. Then the United States of America industrialized and went heavily into the textile industry. We built plants in the State of Massachusetts; we constructed

plants in the State of North Carolina, South Carolina, Tennessee, Georgia, and other political subdivisions of the country. Therefore, we began to compete with Great Britain.

Then there came the time when Japan had to industrialize. What did Japan do? She built many textile plants, in which modern machinery was installed. She bought her cotton from other nations of the world, transported it to her factories, and there, with cheap labor, turned out the finished products. Her competition with Great Britain became so keen that Great Britain had to move millions of spindles from the British Isles to India, right into the middle of the cotton fields, in order to compete with Japan.

Let us say, for the sake of the argument, that Great Britain, the United States, and Japan sold their products to the world. The world was the market. But let us see what has happened. The people of North Carolina, Massachusetts, Georgia became rich from the textile business, sending their finished products to all parts of the world. We sold where? We sold to China because the Chinese did not have any textile plants; we sold cotton goods to the Russians because during the time of the czars Russia had practically no textile plants; and we sold to Mexico because the Mexicans did not have any such plants.

Mr. CONNALLY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Texas?

Mr. REYNOLDS. Certainly.

Mr. CONNALLY. I make the point that there is no quorum present.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Duffy	Minton	Stelwer
Bailey	Frazier	Murray	Thomas, Utah
Bankhead	Gibson	Neely	Townsend
Barkley	Hayden	Nye	Vandenberg
Bulow	Hitchcock	Overton	Van Nuys
Chavez	Lodge	Reynolds	Wagner
Connally	McKellar	Russell	
Copeland	McNary	Schwellenbach	
Davis	Miller	Sheppard	

Mr. LEWIS. The Senator from Utah [Mr. KING] is absent in attendance upon a funeral.

The PRESIDING OFFICER. Thirty-three Senators have answered to their names. There is not a quorum present. The clerk will call the names of the absent Senators.

The legislative clerk called the names of the absent Senators, and Mr. LEWIS answered to his name when called.

Mr. NORRIS, Mr. LOGAN, Mr. BULKLEY, Mr. GUFFEY, Mr. CAPPER, Mr. ELLENDER, Mr. HATCH, Mr. MCGILL, and Mr. POPE entered the Chamber and answered to their names.

The PRESIDING OFFICER. Forty-three Senators have answered to their names, not a quorum.

Mr. BARKLEY. I move that the Sergeant at Arms be directed to procure the attendance of absent Senators until a quorum is produced.

Mr. CONNALLY. On that motion I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. GIBSON (when Mr. AUSTIN's name was called). My colleague the senior Senator from Vermont [Mr. AUSTIN] is necessarily absent on official business. If present, he would vote "yea" on this question. He is paired with the junior Senator from Mississippi [Mr. BILBO] on this question.

The roll call was concluded.

Mr. LEWIS. The Senator from Utah [Mr. KING] is absent in attendance upon a funeral.

The junior Senator from Rhode Island [Mr. GREEN] and the junior Senator from Delaware [Mr. HUGHES] are detained from the Senate because of illness.

The Senator from Washington [Mr. BONE] and the Senator from Maryland [Mr. RADCLIFFE] are absent because of deaths in their families.

The Senator from Nebraska [Mr. BURKE] is absent on official business as a member of the committee appointed to investigate certain conditions in Puerto Rico.

The senior Senator from Florida [Mr. ANDREWS], the Senator from Tennessee [Mr. BERRY], the Senator from Mississippi [Mr. BILBO], the Senator from Michigan [Mr. BROWN], the Senator from New Hampshire [Mr. BROWN], the Senator from Virginia [Mr. BYRD], the Senator from Arkansas [Mrs. CARAWAY], the Senator from Missouri [Mr. CLARK], the Senator from Illinois [Mr. DIETERICH], the Senator from Georgia [Mr. GEORGE], the Senator from Rhode Island [Mr. GERRY], the Senator from Iowa [Mr. GILLETTE], the Senator from Virginia [Mr. GLASS], the Senator from Mississippi [Mr. HARRISON], the Senator from Iowa [Mr. HERRING], the Senator from West Virginia [Mr. HOLT], the Senator from Oklahoma [Mr. LEE], the Senator from Connecticut [Mr. MALONEY], the Senator from New Jersey [Mr. MOORE], the Senator from Florida [Mr. PEPPER], the Senator from Wyoming [Mr. SCHWARTZ], the Senator from New Jersey [Mr. SMATHERS], the Senator from Oklahoma [Mr. THOMAS], the Senator from Missouri [Mr. TRUMAN], and the Senator from Massachusetts [Mr. WALSH] are unavoidably detained.

The Senator from Virginia [Mr. GLASS] has a general pair with the Senator from Minnesota [Mr. SHIPSTEAD].

Mr. BYRNES. I have a general pair with the senior Senator from Maine [Mr. HALE], which I transfer to the junior Senator from Oklahoma [Mr. LEE] and vote "nay."

The result was announced—yeas 44, nays 13, as follows:

YEAS—44

Adams	Gibson	Lundeen	Pittman
Barkley	Guffey	McAdoo	Pope
Bulkley	Hatch	McCarran	Schwellenbach
Bulow	Hayden	McGill	Stelwer
Capper	Hitchcock	McNary	Thomas, Utah
Chavez	Johnson, Colo.	Minton	Townsend
Copeland	La Follette	Murray	Tydings
Davis	Lewis	Neely	Vandenberg
Donahay	Lodge	Norris	Van Nuys
Duffy	Logan	Nye	Wagner
Frazier	Loungan	O'Mahoney	Wheeler

NAYS—13

Bailey	Ellender	Miller	Russell
Bankhead	Graves	Overton	Sheppard
Byrnes	McKellar	Reynolds	Smith
Connally			

NOT VOTING—39

Andrews	Burke	Hale	Pepper
Ashurst	Byrd	Harrison	Radcliffe
Austin	Caraway	Herring	Schwartz
Berry	Clark	Holt	Shipstead
Bilbo	Dieterich	Hughes	Smathers
Bone	George	Johnson, Calif.	Thomas, Okla.
Borah	Gerry	King	Truman
Bridges	Gillette	Lee	Walsh
Brown, Mich.	Glass	Maloney	White
Brown, N. H.	Green	Moore	

So Mr. BARKLEY's motion was agreed to.

Mr. BARKLEY. Mr. President, in view of the fact that the roll call on this motion has indicated that a quorum is present, I ask that the order directing the Sergeant at Arms to procure the attendance of absent Senators be vacated.

Mr. CONNALLY. I object.

Mr. BARKLEY. I move that the order be vacated.

Mr. CONNALLY. I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. GIBSON. My colleague the senior Senator from Vermont [Mr. AUSTIN] is necessarily absent on official business. He is paired with the Senator from Mississippi [Mr. BILBO]. If present and voting, my colleague would vote "yea."

Mr. BYRNES. I have a general pair with the senior Senator from Maine [Mr. HALE]. I transfer that pair to the junior Senator from Oklahoma [Mr. LEE] and vote "nay."

Mr. TYDINGS. My colleague the junior Senator from Maryland [Mr. RADCLIFFE] is detained today and will be detained tomorrow and the next day because of a death in his family. I ask that this announcement may stand for the day.

Mr. BARKLEY. The senior Senator from Massachusetts [Mr. WALSH] and the junior Senator from Connecticut [Mr. MALONEY] are necessarily absent on official business. If present, they would vote "yea" on the question now pending.

Mr. LEWIS. The Senator from Rhode Island [Mr. GREEN] is absent on account of illness. The Senator from Delaware [Mr. HUGHES] is also detained by illness.

The Senator from Virginia [Mr. GLASS] has a general pair with the Senator from Minnesota [Mr. SHIPSTEAD].

The Senator from Washington [Mr. BONE] is detained from the Senate because of a death in his family.

The Senator from Nebraska [Mr. BURKE] is absent on official business as a member of the committee appointed to investigate certain conditions in Puerto Rico.

The senior Senator from Florida [Mr. ANDREWS], the Senator from Tennessee [Mr. BERRY], the Senator from Mississippi [Mr. BILBO], the Senator from Michigan [Mr. BROWN], the Senator from New Hampshire [Mr. BROWN], the Senator from Virginia [Mr. BYRD], the Senator from Arkansas [Mrs. CARAWAY], the Senator from Missouri [Mr. CLARK], the Senator from Georgia [Mr. GEORGE], the Senator from Rhode Island [Mr. GERRY], the Senator from Iowa [Mr. GILLETTE], the Senator from Virginia [Mr. GLASS], the Senator from Mississippi [Mr. HARRISON], the Senator from Arizona [Mr. HAYDEN], the Senator from Iowa [Mr. HERRING], the Senator from West Virginia [Mr. HOLT], the Senator from Oklahoma [Mr. LEE], the Senator from New Jersey [Mr. MOORE], the Senator from Florida [Mr. PEPPER], the Senator from Wyoming [Mr. SCHWARTZ], the Senator from New Jersey [Mr. SMATHERS], the Senator from Oklahoma [Mr. THOMAS], and the Senator from Missouri [Mr. TRUMAN] are unavoidably detained.

The Senator from Utah [Mr. KING] is detained from the Senate attending the funeral of a friend.

The result was announced—yeas 44, nays 13, as follows:

YEAS—44

Adams	Frazier	Lundeen	Pittman
Barkley	Gibson	McAdoo	Pope
Bulkeley	Guffey	McCarran	Schwellenbach
Bulow	Hatch	McGill	Stetwer
Capper	Hitchcock	McNary	Thomas, Utah
Chavez	Johnson, Colo.	Minton	Townsend
Copeland	La Follette	Murray	Tydings
Davis	Lewis	Neely	Vandenberg
Dieterich	Lodge	Norris	Van Nuys
Donahay	Logan	Nye	Wagner
Duffy	Loneragan	O'Mahoney	Wheeler

NAYS—13

Bailey	Ellender	Miller	Russell
Bankhead	Graves	Overton	Sheppard
Byrnes	McKellar	Reynolds	Smith
Connally			

NOT VOTING—39

Andrews	Burke	Harrison	Pepper
Ashurst	Byrd	Hayden	Radcliffe
Austin	Caraway	Herring	Schwartz
Berry	Clark	Holt	Shipstead
Bilbo	George	Hughes	Smathers
Bone	Gerry	Johnson, Calif.	Thomas, Okla.
Borah	Gillette	King	Truman
Bridges	Glass	Lee	Walsh
Brown, Mich.	Green	Maloney	White
Brown, N. H.	Hale	Moore	

So Mr. BARKLEY's motion was agreed to.

Mr. BARKLEY. Mr. President, I wish to call the attention of Senators, now that a quorum is present, not only to the desirability but the absolute necessity of Senators remaining in their places in the Senate. I feel compelled to call attention to this situation because we have today listened to one speech, a very entertaining and illuminating speech by the Senator from North Carolina [Mr. REYNOLDS]. He concluded his remarks, at least for the day, about 4 o'clock, and not many Senators were present, and all the delay of nearly an hour since that time has been because a quorum has not been present, and upon the first roll call and the second roll call a quorum was not developed.

It had been my purpose, and is still my purpose, to have the session today adjourn around 5 o'clock, and to have future sessions adjourn about that hour, provided we can transact some business between the hours of 12 and 5; but it might as well be understood now that if we are to meet each day and have one speech, to be finished around the hour of 4 o'clock, and then every other Senator is to complain that it is too late for him to begin a speech on the bill now the unfinished business, or any other subject, at that late hour, we will be here indefinitely if addresses are to be made at the rate of one speech a day on the pending measure.

LXXXIII—7

I urge Senators to be present. The pending measure is before us because the Senate has wished that it should be before us. It is here because another body overwhelmingly passed it and sent it to the Senate, and a committee of the Senate has voted to report it favorably for consideration by the Senate, and by action of the Senate it has been made the unfinished business.

We are just beginning a new session of Congress, which we all hope to be able to conclude and adjourn at an early date, in late spring or certainly not later than early summer. I hope we may be able to adjourn the present session in May; and I think everyone connected with the Senate and the House, and everyone in the Government, and the country at large, would like to see the present session of Congress adjourn in May. I have the assurance of nearly every Member of the Senate on both sides that they will cooperate in order to bring about an early adjournment.

Mr. President, I do not blame those who are opposed to this bill for making the point of no quorum. I do not blame those who oppose this measure for taking every parliamentary advantage that is at their disposal in order to delay it or defeat it; but I do insist that Senators ought to be on the floor while this bill is under consideration in order that, simply because of their absence, advantage may not be taken of the fact that no quorum is here, and repeated roll calls asked for, making it necessary to order the Sergeant at Arms at this stage of the regular session of the Seventy-fifth Congress to go out and bring in Members who, it seems to me, owe it to their membership here and to the importance of this proposed legislation, whether they are for it or against it, to be here and try to maintain a quorum.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. CONNALLY. I may say that I heartily concur in the desire of the Senator from Kentucky that a quorum be maintained. It seems to me that since the Senate has ordered this bill to be considered, Senators have no right to make us stay here and endure the punishment unless they who are responsible for our being here also stay here and share the responsibility.

I heartily concur with the Senator from Kentucky. What those of us who are opposed to the bill are doing is simply to require a quorum of the Senate, which the Constitution—not we, but the Constitution—commands; and if it is a crime for a Senator to invoke the Constitution here in this Chamber, then we are guilty. So far as the Senator from Texas is concerned, this matter is the Senate's business, and it is the business of Senators to be here.

Mr. BARKLEY. I am glad to have the concurrence of the Senator from Texas. I do not desire to complain. I do not want to feel in the least out of patience with Senators who do not stay on the floor; but it is essential to keep a quorum here, and every Senator, whether for or against the bill, knows that it is essential and important that we keep a quorum here at all times. If we are not willing to do that, then, of course, those of us who are responsible for attempting to guide the conduct of the Senate's business will have to resort to other means than we otherwise would resort to in order to make progress with respect to the pending legislation.

I make these statements simply for the benefit of the Senate; and I hope from now on we shall have the cooperation of Members on both sides of the Chamber and on both sides of this controversial question in order that the public business may not be delayed simply because Senators will not remain on the floor of the Senate.

Mr. CONNALLY. Mr. President, will the Senator further yield to me?

Mr. BARKLEY. I yield.

Mr. CONNALLY. I will say to the Senator, if I may be so bold as to suggest it, that he has one other alternative, and that is to ask that the measure be laid aside.

Mr. BARKLEY. Oh, yes; I realize that that is another alternative.

Mr. President, having said all I care to say on that subject, and the hour of 5 o'clock having almost arrived, I ask

unanimous consent that a very able and very illuminating address delivered by the senior Senator from Illinois over the Columbia Broadcasting System on the night of January 5, 1938, entitled "The Meaning of the Roosevelt Administration to the People," may be printed in the Appendix of the Record.

Mr. CONNALLY. Mr. President, reserving the right to object, will the Senator yield to me for a question?

Mr. BARKLEY. I yield.

Mr. CONNALLY. Is this an address by the senior Senator from Illinois [Mr. Lewis]?

Mr. BARKLEY. Yes.

Mr. CONNALLY. Is it on the antilynching bill?

Mr. BARKLEY. It is not.

Mr. CONNALLY. I suggest to the Senator from Kentucky that the junior Senator from North Carolina [Mr. REYNOLDS] was unavoidably called out of the Chamber because of an engagement. It is his purpose to continue his remarks tomorrow, so he has not really yielded the floor.

The PRESIDING OFFICER. The question is on the request of the Senator from Kentucky. Is there objection? The Chair hears none, and the address referred to will be printed in the Record.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Calhoun, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 1485. An act to prohibit the making of photographs, sketches, or maps of vital military and naval defensive installations and equipment, and for other purposes; and

S. 2575. An act to increase the efficiency of the Coast Guard.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. LODGE in the chair), as in executive session, laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

RULES TO GOVERN THE LIABILITY OF VESSELS WHEN COLLISIONS OCCUR BETWEEN THEM

Mr. BARKLEY. On behalf of the Senator from Nevada [Mr. PITTMAN] and upon the recommendation of the Senator from Washington [Mr. SCHWELLENBACH], the chairman of the subcommittee of the Committee on Foreign Relations, I ask unanimous consent that the injunction of secrecy be removed from Executive K, Seventy-fifth Congress, first session, an international convention for the unification of certain rules to govern the liability of vessels when collisions occur between them, and a protocol thereto, both signed at Brussels on September 23, 1910.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

RECESS

Mr. BARKLEY. If there is no further business to be transacted this afternoon and no other speeches to be made, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 52 minutes p. m.) the Senate took a recess until tomorrow, Friday, January 7, 1938, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 6 (legislative day of January 5), 1938

WORKS PROGRESS ADMINISTRATION

Will G. Metz, of Wyoming, to be State administrator in the Works Progress Administration for Wyoming.

APPOINTMENTS IN THE REGULAR ARMY

Brig. Gen. Percy Poe Bishop, United States Army, to be major general from January 1, 1938, vice Maj. Gen. Douglas MacArthur, United States Army, retired December 31, 1937.

Col. Jay Leland Benedict, Infantry, to be brigadier general from January 1, 1938, vice Brig. Gen. Percy P. Bishop, United States Army, who accepted appointment as major general January 1, 1938.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY TO QUARTERMASTER CORPS

Capt. Howell Harrell, Infantry, with rank from November 1, 1933.

TO CHEMICAL WARFARE SERVICE

First Lt. Graydon Casper Essman, Infantry, with rank from June 13, 1936.

First Lt. Travis Ludwell Petty, Cavalry, with rank from June 12, 1937.

TO AIR CORPS

Second Lt. Gordon Harrison Austin, Field Artillery, with rank from June 12, 1936.

Second Lt. German Pierce Culver, Infantry, with rank from June 12, 1935.

Second Lt. Jackson Holt Gray, Infantry, with rank from June 12, 1936.

Second Lt. James Rutland Gunn, Infantry, with rank from June 12, 1936.

Second Lt. Harry Ripley Melton, Jr., Cavalry, with rank from June 12, 1936.

PROMOTIONS IN THE REGULAR ARMY

To be colonels

Lt. Col. Louis Roberts Dougherty, Field Artillery, from January 1, 1938.

Lt. Col. Samuel Roland Hopkins, Field Artillery, from January 1, 1938.

To be lieutenant colonels

Maj. Otto Frederick Lange, Infantry, from January 1, 1938.
Maj. Harlan Leslie Mumma, Quartermaster Corps, from January 1, 1938.

Maj. Alexander Mathias Weyand, Infantry, from January 1, 1938, subject to examination required by law.

Maj. Walter David Mangan, Field Artillery, from January 3, 1938.

To be majors

Capt. Edgar Ambrose Jarman, Judge Advocate General's Department, from December 29, 1937.

Capt. William Giroud Burt, Infantry, from January 1, 1938.

Capt. Howard Webster Lehr, Infantry, from January 1, 1938.

Capt. Marshall Joseph Noyes, Corps of Engineers, from January 1, 1938.

Capt. Charles Manly Walton, Infantry, from January 1, 1938.

Captain Versalious Lafayette Knadler, Field Artillery, from January 1, 1938.

Captain Samuel Lyman Damon, Corps of Engineers, from January 1, 1938.

Capt. Thomas Cleveland Lull, Infantry, from January 1, 1938.

Capt. Leonard Sherod Arnold, Field Artillery, from January 3, 1938.

MEDICAL CORPS

To be colonel

Lt. Col. Henry Blodgett McIntyre, Medical Corps, from January 15, 1938.

To be lieutenant colonels

Maj. Martin Robert Reiber, Medical Corps, from January 15, 1938.

Maj. William Kenneth Turner, Medical Corps, from January 15, 1938.

To be major

Capt. Fletcher Emory Ammons, Medical Corps, from January 17, 1938.

To be captains

First Lt. Clifford Paul Michael, Medical Corps, from January 14, 1938.

First Lt. Oscar Samuel Reeder, Medical Corps, from January 14, 1938.

HOUSE OF REPRESENTATIVES

THURSDAY, JANUARY 6, 1938

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Give ear, O Shepherd of Israel, our souls waiteth patiently for Thee. Thou who art enthroned above the cherubim, stand forth and turn us again to Thee. Arise, O Lord, and lift up Thine hand and forget not the poor in their distresses. Open Thine heart and give attention unto their cries. Blessed are the pure in heart, for they shall see God. Heavenly Father, purity is the burden of Thy holy teaching. Let us seek purity of heart; let us seek for perfect sincerity; let us seek for a heart in which there is no evil desire to disturb and in which there is no room for evil design. Do Thou cleanse our hearts, that they may be innocent from the great transgression. May men everywhere be released from the power of temptation and from the coarseness of this world, and lift them up into the serene and transparent faith of the life that is to come. Hear our humble petition in the name of our Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Latta, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 4256. An act conferring jurisdiction on the United States District Court for the Northern District of California to hear, determine, and render judgment upon the suit in equity of Theodore Fieldbrave against the United States;

H. R. 4569. An act for the relief of Isador Katz;

H. R. 5639. An act for the relief of Henrietta Wills;

H. R. 5768. An act for the relief of Mary Louise Chambers, a minor;

H. R. 5912. An act for the relief of Judd & Detweiler, Inc.;

H. R. 5989. An act for the relief of J. L. Myers;

H. R. 6628. An act to permit the further extension of the Air Mail Service; and

H. R. 7415. An act to increase the rates of pay for charmen and charwomen in the custodial service of the Post Office Department.

The message also announced that the Senate had passed, with an amendment, in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 5871. An act for the relief of Ralph B. Sessoms.

The message also announced that the Senate had passed bills and joint resolutions of the following titles, in which the concurrence of the House is requested:

S. 993. An act for the relief of Chazkiel (or Charles) Lewkowski;

S. 1649. An act for the relief of Philipina Baca Klemencic;

S. 2257. An act for the relief of Helene Landesman;

S. 2707. An act conferring jurisdiction upon the Court of Claims to hear and determine the claim of the Mack Copper Co.;

S. 3043. An act to provide for loans to farmers for crop production and harvesting during the year 1938, and for other purposes;

S. J. Res. 161. Joint resolution authorizing the Bureau of Labor Statistics to collect information as to amount and value of all goods produced in State and Federal prisons; and

S. J. Res. 204. Joint resolution authorizing the President to issue a proclamation with respect to commemoration of the four hundredth anniversary of the journey and explorations of Coronado in western America.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 1485. An act to prohibit the making of photographs, sketches, or maps of vital military and naval defensive installations and equipment, and for other purposes.

The message also announced that the Vice President had appointed Mr. BARKLEY and Mr. GIBSON members of the joint select committee on the part of the Senate, as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of executive papers in the following departments:

The Department of Justice.

The Department of the Navy.

The Department of the Interior.

Veterans' Administration.

United States Tariff Commission.

The Department of the Treasury.

The Department of Agriculture.

RESIGNATION FROM COMMITTEES

The SPEAKER laid before the House the following communication:

The Honorable WILLIAM B. BANKHEAD,

Speaker of the House of Representatives,
Washington, D. C.

MY DEAR MR. SPEAKER: I herewith tender my resignation as a member of the following committees of the House of Representatives: Claims, Roads, and Expenditures in the Executive Departments.

Respectfully yours,

W. S. JACOBSEN.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

W. W. LARSEN

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. VINSON of Georgia. Mr. Speaker, it is with profound sorrow that I announce the death of our former colleague, Hon. Wash Larsen, which occurred yesterday at his home in Dublin, Ga.

Judge Larsen served with distinction in the House for 16 years, representing the old Twelfth District. He first came to Congress in April 1917 and served continuously until his voluntary retirement in March 1933.

He was a faithful, conscientious Representative and one of those men who live and die for an ideal and for a principle. His nature was of such fine human and friendly quality no one ever regarded him as a stranger. Instinctively one felt the impulse to call him "Wash."

Prior to his election to Congress Judge Larsen had been a practicing attorney, secretary of the executive department for the State of Georgia, and judge of the superior courts for the Dublin circuit. While in the Congress he served as a member of the Roads Committee, the Committee on Merchant Marine and Fisheries, and lastly the Committee on Agriculture.

Born on a farm in south Georgia, he always had farm interests and knew the real problems of the farmer. To the people of his district, predominantly agricultural in character, he gave his first, best, and last devotion. He was indefatigable in his efforts to accomplish a just end in each and every undertaking.

Representing an adjoining district, with practically the same interests, I found it a pleasure to share with him the innumerable troubles and worries of our jobs. His genial personality and radiant optimism often helped to erase what seemed to be insurmountable barriers.

Retiring from Congress in March 1933 Judge Larsen was appointed regional manager for the emergency crop and

feed loan section of the Farm Credit Administration, with headquarters in Columbia, S. C. This offered splendid opportunity to continue his work for the farmers, and he filled the place with much credit until his resignation in 1936, when he returned to his own beloved farm in Twiggs County.

Not satisfied out of public life, however, he accepted an appointment as a member of our State commission on unemployment insurance last year and was serving in this position at the time of his death.

He has now embarked on that journey from which none returns. His friends and admirers will greatly miss him. Through 16 years of noble services in this House he indelibly carved his name upon the annals of our history, leaving to his descendants a rich heritage of a life well spent, and to his friends a priceless memory of wholehearted comradeship.

PERMISSION TO ADDRESS THE HOUSE

Mr. SNELL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. WADSWORTH] may address the House at this time for 15 minutes.

Mr. CARTWRIGHT. Mr. Speaker, will the gentleman withhold the request a moment?

Mr. SNELL. I withhold the request, Mr. Speaker.

FEDERAL-AID HIGHWAYS

Mr. CARTWRIGHT. Mr. Speaker, I have just introduced a bill to provide for continuation of well-established Federal-aid highway policies through the fiscal years 1940 and 1941. The amounts and other definite provisions are, of course, tentative and intended only to form a basis for consideration by the Roads Committee, which will follow the usual custom and hold extended hearings.

I am a strong advocate of economy, but believe reductions should be made in all agencies of the Government and not just make roads the goat.

I have proposed an authorization of \$125,000,000 for primary roads for each of the fiscal years 1940 and 1941, to continue the policy of Federal aid at the same rate which has been in effect for the past several years. This is about equal to the cost of two battleships.

Similarly, \$50,000,000 for each year is provided for the elimination of hazards at railroad grade crossings and \$25,000,000 a year for secondary or feeder roads, including farm-to-market roads, Rural Free Delivery mail roads, and public-school bus routes.

Provision is made, tentatively, for continuation of development of highways, roads, and trails in forests, national parks, and parkways, and Indian reservations and public lands on the same basis as authorized in the Hayden-Cartwright Act of 1936 for the fiscal years 1938 and 1939.

Other sections substantially repeat provisions of the present law except that the District of Columbia is permitted to share in Federal aid, and the amount of forest-road funds for Alaska is made definite.

Highway development still lags far behind the steadily increasing demands of traffic. The number of motor vehicles operating on our highways has increased from about 3,500,000 20 years ago to about 29,000,000 today. It is necessary that new authorizations be made by this Congress if an orderly program of highway development is to be maintained and sufficient time allowed for adequate preparation and careful planning of work. State highway budgets must be prepared in advance of the sessions of the State legislatures, and the States must have definite knowledge of Federal-aid authorizations in order to make provision for their participation.

Users of the highways pay special taxes, in proportion to their use of the roads, which bring more than \$300,000,000 a year into the Federal Treasury. The Federal Government can considerably increase its expenditures for roads and still not draw on its general tax funds, as the motoring public pays the entire bill in special taxes. The Congress has declared that such taxes are unfair and unjust unless used for the improvement of roads. If road expenditures are reduced the special taxes on road users should likewise be reduced. Are we going to let the motorists down?

EXTENSION OF REMARKS

Mr. MAVERICK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including an address by Mr. Ickes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LEMKE and Mr. DUNN asked and were given permission to extend their own remarks in the RECORD.

PERMISSION TO ADDRESS THE HOUSE

The SPEAKER. The gentleman from New York [Mr. SNELL] asks unanimous consent that the gentleman from New York [Mr. WADSWORTH] may address the House at this time for 15 minutes. Is there objection?

There was no objection.

Mr. WADSWORTH. Mr. Speaker, I gather that the Committee on Appropriations has been somewhat delayed in bringing in the independent offices appropriation bill, and the gentleman from New York [Mr. SNELL] has asked me to take up a little time. Perhaps my taking it will result in the emptying of the Chamber. Who knows?

Like all Members of the House and, indeed, millions of our people, I listened to and have since read with the deepest interest the recent message of the President. More than that, I have done my level best, as doubtless has every Member of the House, to read everything he has said in his series of messages and public addresses during the last 4½ or 5 years. It is not my intention this morning to analyze or dissect to any considerable degree the message of the other day, but in reading over his words, as he has uttered them to the American people during the period of his administration, I am struck by one thing perhaps more than any other.

I am struck by an omission. I believe I am correct in saying that an examination of all Mr. Roosevelt's public papers and addresses will disclose the fact that never once has he used the word "thrift." Never once during the trying times through which we have been passing has the President appealed to either the Congress or the people in the interest of frugality.

To my mind, this is a very, very significant omission. Its implications are understandable at this very hour—or, at least, I believe they are. I may be old-fashioned, and I have often been charged with being that sort of person, but I have imbibed the conviction, after considerable experience in business and some in public life, that when an individual is hard pressed, when he is hard up, we will say, the first and most important quality which he should call to his own rescue, if he can summon it, is the quality of thrift. I believe not many persons will disagree with me when I state that when a man is down and wants to struggle to his feet again, necessarily, life being as it is, some sacrifices are expected of him by his family, by his neighbors, and by the community, and these sacrifices generally take the form, and rightly so, of a determined endeavor upon his part to save something, even though it be a little bit, in order to build himself back into a condition of security where finally he may meet his obligations and resume his normal activities.

I believe the same is true of the Nation. This Nation, in 1933—for causes which I shall not endeavor to develop—found itself down, in debt, hard up, with hundreds of thousands—yea, a few millions—unemployed.

Mr. O'CONNOR of New York. Mr. Speaker, will the gentleman yield?

Mr. WADSWORTH. For a question.

Mr. O'CONNOR of New York. Before the gentleman reaches the point of thrift in the Nation, will the gentleman tell us what an individual contributes to society by putting money in a stocking or in a wooden barrel?

Mr. WADSWORTH. I am amazed the gentleman from New York should attribute to me any suggestion that true saving is accomplished when the money is hidden in a barrel or in a stocking.

Mr. O'CONNOR of New York. Let us say, unused in a bank. What does such a person contribute to his fellow men?

Mr. WADSWORTH. He contributes somewhat to his own security, but his saving would be more useful to himself and the community if he invested it in some legitimate enterprise. If, however, he is afraid of the future, he will hoard it. Somehow or other I have an idea, and again I am old-fashioned, that the individual citizen owes it not only to himself but to his family to contribute by his own efforts as much as possible to his security and not become dependent upon some higher power for his salvation.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. WADSWORTH. I yield to the gentleman from Kentucky.

Mr. MAY. Speaking of the fund the citizen is supposed to have in a stocking or a trunk or somewhere in safety, I understand this to be comparable to the resources the Treasury has, or should have, if it has not, or which a corporation or other business usually has in a bank or somewhere else as a reserve for a rainy day.

Mr. WADSWORTH. I think it is not quite comparable, because when the saving is put in a stocking—

Mr. MAY. It is not subject to check.

Mr. WADSWORTH. I mean, when the saving is put in a stocking or some other hiding place, it is not put to a useful purpose.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. WADSWORTH. I would prefer to proceed, if I may.

Mr. HOFFMAN. I just wanted to ask the gentleman about the billions of Government gold in the Kentucky hills, whether that is in a stocking or not?

Mr. WADSWORTH. Now, may we go back a little way and see what has happened? I may indulge in a recital of my own personal, alleged mental reactions. You and I all remember very well when the President was inaugurated on March 4, 1933. The country, as I have just said, was despondent and down. I, as well as a great many other men, rejoiced at the spirit of optimism which the President brought to Washington. I think it did us all a lot of good and did the country a lot of good for the time being. I, like not so many others, rejoiced at his announcement of an economy program, and I, like a majority of the Members of this House at that time, voted for the famous Economy Act, confident that the President meant to apply thrift in the conduct of government.

Not many months transpired before those of us who thought as I did at that time were bitterly disappointed when we awoke to a realization of the fact—and no one will deny it—that no thrift was to be employed. And we have had none of it since that time.

I voted, for example, for the emergency legislation affecting the banking system of the country, believing that it was an emergency situation which needed emergent direction. I realized, as many other Members realized, all Members, I believe, that a social calamity threatened the country in the matter of the foreclosure of mortgages, both on farms and in cities.

I gave my support to the H. O. L. C. and the Agricultural Credit Administration, not that I rejoiced that the Government was going into the business of lending money to private individuals—I greatly regretted the necessity for that, for it has definite dangers, but because I had made up my mind that private credit having been exhausted or frightened into hiding, it was the duty of the Government to come to the rescue, as it were, and extend its credit, at that time unimpaired, in saving us from a social calamity.

So these first four measures of the administration, I am bold enough to say, even in the presence of my Republican colleagues, were wise under the circumstances. My deep regret arises from the fact that these measures, instead of being extended and perfected, were in large measure forgotten in an attempt on the part of the President to completely

reorganize, indeed revolutionize, the economic system of America. From that moment on, instead of conserving, the policy became one of spending. Frugality was never mentioned and has not been to this very day. Thrift has never been exercised as a quality in government, and that quality has never been appealed to amongst the individuals who make up the Nation. As time has gone on and we have seen these disturbing, experimental measures placed upon the statute books, one upon another, step by step the country has gone deeper into debt. Step by step taxes have gone higher and higher. It was openly stated, and has been repeated upon many an occasion, that the way to get us out of a depression was to spend our way out; not to save our way out but to spend our way out, and if we did not have the money at hand we should borrow it.

Sometimes I am tempted to believe that the President of the United States has no admiration for a saver, for a man or an institution that saves money and puts it aside in the interest of his or its security to meet a rainy day. By no other reason can I explain his dogged adherence to the tax upon undistributed surplus of corporations, a tax law which practically forbids a business concern in corporate form from saving any money. Sometimes I am tempted to believe, if we put all these measures together that have been placed upon the statute books, some of them to be declared unconstitutional by the Supreme Court, that it is the definite policy of this administration to prevent the American people from saving money in the conduct of their businesses.

I remember quite well a book written by the Secretary of Agriculture in which he sets forth as a theory, as a principle, that it is dangerous for a people to save too much money, because when money is saved in large quantities it is apt to be invested in unsound securities, and that investment result in a stock-market boom, speculation, and final collapse. And he agreed that government should so tax the people as to prevent undue savings. Of course, the Secretary of Agriculture forgets that the great stock-market boom of 1928 and 1929 was not financed by savings but was financed by borrowings. Multitudes borrowed money with both hands and bought stocks wildly. It was mass folly. But the antisaving philosophy underlies the Secretary's assertion, and I am convinced that same philosophy underlies the whole program of the Roosevelt administration.

Mr. Speaker, the time has come when we are paying the penalty, the penalty that inevitably follows the neglect of a people or a government to save. Our national debt is piling upward and upward. The President now admits that it will go \$950,000,000 higher in the next fiscal year. Apparently there is no end in sight. He talks economy in one breath and then demands the passage of legislation which, if passed, will cost more money. In a desperate endeavor to keep the thing in control, he asks that he be given power through his subordinates or by delegation of power to control the business activity of hundreds of thousands and millions of people that they may not produce too much, that they may not work too long, according to the standards which he and his people see fit to erect. I am wondering if any private individual can ever lift himself from the slough of despondency with a philosophy of that kind. I am convinced that a nation cannot do so, no matter how strong its government, no matter how compelling. So today we see a renewal of the depression that plagued us in 1932 and 1933, a thing that in my judgment has been from the beginning of these policies absolutely inevitable. No government can go on spending more than it takes in any more than an individual can do so, and the artificial shots in the arm which may be administered to the body politic from time to time are but temporary in their effect, and generally the condition of the patient when the influence of the drug has expired is worse than it was before the doctor was called.

I do not mean to be unkind, but I am wondering if the present occupant of the White House has ever known or ever will know actually himself how a dollar is earned. I very

much doubt it. He is not alone in that regard. Many of us may be charged with the same shortcoming, but as we read and note the conflicting suggestions that come one upon another in this present time of stress, one begins to reach the conclusion that the administration is floundering in the economic field.

Not many days ago in a press conference the President indicated very clearly that the newspaper press was to blame for this present depression, in that the newspapers spread fear among the people. At another press conference the picture was changed, and it was asserted that the present troubles came as a result of the piling up of too large inventories in the manufacturing field. Then that was abandoned or put aside for the moment and the next thing was that the trouble all came from monopolies, and from that we went on into the 60-family discussion, and the speeches which were delivered by important members of his administration, with which you are all familiar. Since the delivery of the message here the other day, the President in a press conference—mind you, after denouncing the monopolies—indicated to the representatives of the press that he would like to cooperate with business in controlling production and prices—something absolutely contrary in spirit and intent to the antimonopoly suggestion. It seems to me that the President is hunting around for some cure-all, some temporary medicine or economic drug which he thinks or hopes will get us out of our troubles.

Conscious of my own fallability, I am convinced that we will never as a Nation extract ourselves from our present-day troubles, which are merely a repetition of the troubles of 1932 and 1933, progressing more rapidly, until we once more as a Nation, as a Government, adopt thrift as our motto. It is basic, it is fundamental. We must stop experimenting and get back to old-fashioned virtues. In doing so we will have to tread on hundreds of thousands, perhaps millions of toes—the toes of people who have been taught that the Government owes them a living, and who, of course, will resent a withdrawal in whole or in part of that Government support; but the time will come, my friends, when the Government can no longer go on doing these things, and then will come disillusionment. And if there is anything that I dread, it is wholesale disillusionment, spreading through a great multitude of people, disillusionment—a state in which they wake up to find that they are no better off, in fact, perhaps, worse off, than when the doctor first called.

A disillusioned multitude may be very, very dangerous to free institutions.

My plea to this administration and to this Congress would be to avoid that fate, courageously to face this situation and call upon the American people as well as their servants, the men in office and in power, to rededicate themselves to common sense, to thrift, that we may move out of this morass in which we have plunged ourselves by our own acts. [Applause.]

EXTENSION OF REMARKS

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made earlier today and to include in my remarks a letter from Senator Robert L. Owen.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. IZAC. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a resolution from the Council of United States Veterans.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my own remarks and to incorporate therein a radio speech delivered by me.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GRAY of Indiana. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing therein an article by Hon. Felix T. Cotten, published in the Philadelphia Record, explaining the cause of the recession. I am not asking any time for myself at this moment because time has been allowed me on the independent offices bill and I expect to address the House tomorrow.

Mr. RICH. Mr. Speaker, reserving the right to object, it is about time we stopped the publication of newspaper articles in the RECORD.

Mr. GRAY of Indiana. Mr. Speaker, I have been in this Congress 12 years and this is the first time I have ever asked to place a newspaper article in the RECORD. How many has the gentleman put in?

Mr. RICH. I never put in any. The gentleman may put this one in and we will see what it is.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

COMMITTEE ON THE JUDICIARY

Mr. CHANDLER. Mr. Speaker, by direction of the Committee on the Judiciary, I ask unanimous consent that the bankruptcy subcommittee of the Committee on the Judiciary may sit during the sessions of the House this afternoon and tomorrow afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES— PANAMA CANAL

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Merchant Marine and Fisheries:

To the Congress of the United States:

I transmit herewith, for the information of the Congress, the annual report of the Governor of the Panama Canal for the fiscal year ended June 30, 1937.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 6, 1938.

FURTHER MESSAGE FROM THE PRESIDENT OF THE UNITED STATES— NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Military Affairs, the Committee on Naval Affairs, and the Committee on Interstate and Foreign Commerce, and ordered printed:

To the Congress of the United States:

In compliance with the provisions of the act of March 3, 1915, establishing the National Advisory Committee for Aeronautics, I transmit herewith the twenty-third annual report of the committee, covering the fiscal year ended June 30, 1937.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 6, 1938.

INDEPENDENT OFFICES APPROPRIATION BILL, 1939

Mr. WOODRUM, from the Committee on Appropriations, reported the bill (H. R. 8837) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1939, and for other purposes (Rept. No. 1662), which was read a first and second time, and, with the accompanying papers, referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. WIGGLESWORTH. Mr. Speaker, I reserve all points of order against the bill.

Mr. WOODRUM. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 8837) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions,

and offices for the fiscal year ending June 30, 1939, and for other purposes.

Pending that motion, Mr. Speaker, I ask unanimous consent that general debate shall continue throughout today and tomorrow, the time to be equally divided and controlled by myself and the gentleman from Massachusetts [Mr. WIGGLESWORTH].

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 8837, the independent offices appropriation bill, 1939, with Mr. LANHAM in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. WOODRUM. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. GREENWOOD].

Mr. GREENWOOD. Mr. Chairman, I was very much interested in the remarks of my colleague from New York [Mr. WADSWORTH] in drawing the analogy on frugality and thrift between the individual or the head of a family and a nation. I approve the philosophy of his argument; in fact, I have tried to follow it myself in life; but I am sure he appreciates, as every one of us does, that handling the finances of a man's individual business or of his family is somewhat different from handling the financial program of a great nation engaged in so many activities, especially in time of emergency such as the one through which we have passed. A man may even indulge in these methods of frugality and save money until the hour of emergency and illness or tragedy fastens itself upon the family. He may then find all of his methods swept aside. In that hour the head of a family will do just what the executive or the legislative department of a nation will do—meet the tragic emergency for the time being with expenditures to take care of the unusual needs in the family; it may be illness, it may be the poverty of some particular child of the family, it may be death, it may be any kind of distress.

The present administration inherited from the administration of the gentleman from New York in 1933 just such emergency, tragic with starvation and poverty on every side, calling for emergency expenditures.

From that hour to this there has been a desire on the part of our Executive and of the committees of this Congress, including the appropriation committees, to cut down these emergency expenditures. However, we have appreciated at all times we could not do that at the sacrifice of the Nation when millions of men were out of employment, many of whom were starving.

You cannot use the ordinary methods of frugality, thrift, and saving under these circumstances. After all, we have brought about certainly a very substantial recovery—perhaps not a complete recovery—because we have lifted the annual wealth of this Nation from \$38,000,000,000, as it was in 1933, to \$68,000,000,000 this year. This recovery and increase in wealth, because of these expenditures, represents a good investment on the part of the Nation and constitutes a basis upon which we can derive the revenue with which to meet the expenditures that have brought about the debts which have been previously incurred.

It is true there is a slight recession or a slipping back. Economic and national affairs move in cycles. It may be that the farmers planted more of the soil-depleting crops than they should have planted in order to meet the emergencies of an individual budget. It may be that industry overreached itself and overproduced, expecting the Nation too soon to consume this overproduction. It may be that many other elements have entered into this present situation, including those who deal in stocks and bonds. It may be they have lifted at too high a rate of speed the value of these stocks and bonds in trading. There are perhaps a

hundred elements that have brought about the present situation, but it is here and we must meet it. This administration should not be criticized because it has not been parsimonious in its expenditures, but should be praised because we made these unusual expenditures in an unusual manner and have spent wisely to help bring the country back to a normal condition.

[Here the gavel fell.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield 15 minutes to the gentleman from New Hampshire [Mr. TOBEY].

Mr. TOBEY. Mr. Chairman, on May 4, 1936, the gentleman from New York [Mr. BLOOM] moved to suspend the rules and pass House Joint Resolution 525, to enable the United States Constitution Sesquicentennial Commission to carry out and put into effect certain approved plans, and for other purposes. This joint resolution authorized to be appropriated the sum of \$200,000; and in moving to suspend the rules and pass the resolution the gentleman from New York said—and I quote from the RECORD of May 4, 1936:

I want to impress upon the Members that ultimately this is not going to cost the Government one cent. After all expenditures are made there will be a profit in the Treasury of the United States of from a million and a half to two million dollars.

Beyond question this assurance given in the remarks of the Director General of the United States Constitution Sesquicentennial Commission on the floor of the House was a potent factor in causing the House to suspend the rules and pass the joint resolution.

On July 6, 1937, 14 months thereafter, the Committee of the Whole House on the state of the Union considered a new resolution, House Joint Resolution 363, to authorize an additional appropriation of \$150,000 to further the work of the Commission, and to carry the celebration through to its conclusion.

I became interested at this point, and desiring to know more of how the money had been used, I secured time and interrogated the gentleman from New York [Mr. BLOOM]. The net result of my questions and the answers was that the spending of a third of a million dollars was to compile in printed form information about the Constitution and dispense it throughout the country.

I then referred to the remarks of the gentleman from New York in May 1936, namely, that there would ultimately be no cost to the Government but that there would be a profit in the Treasury from a million and a half to two million dollars from the Commission's operations, and I asked Mr. BLOOM:

Does the gentleman still believe that?

His answer was:

It is absolutely true.

I then asked:

Is the gentleman willing to guarantee that?

He replied:

Absolutely, and I will do more than that. I will pay all the expenses if you will give me half the profits.

Thereby he reaffirmed his remarks on May 4, 1936, and strengthened them. Yet despite this, a few moments later, in answering a Member from Virginia, he denied that they were going to make a million and a half dollars. I then referred him to his own words in his remarks on May 4, 1936, and read the pertinent excerpts from the RECORD of that date aloud in the House. His answer then was, "I did not say that." It was an amazing reversal and back-tracking of statements made the year before and confirmed to the House only 4 minutes before.

Later on during the debate I again secured the floor and interrogated the gentleman. I held before him the book, *The Story of the Constitution*, published by the Commission at Government expense. I pointed out that after the title of the book there appeared the name "BLOOM," and that on the inside flyleaf appeared the words, "Copyrighted by SOL BLOOM." He stated that the reason he had copyrighted the

book was that the Government was not permitted to copy-right anything. Considerable concern was expressed at the copyright running to the individual, and I and others held that the copyright and all rights thereunder should be vested in the Commission and not in the gentleman from New York or his estate, should he pass away.

It now appears that Mr. BLOOM took cognizance of this feeling, because on July 31 last year, 25 days later, he assigned and conveyed to the United States Constitution Sesquicentennial Commission all his rights and title to the copyright of the book entitled "The Story of the Constitution," which assignment is recorded in the Copyright Division of the Library of Congress.

I said a moment ago that Mr. BLOOM, after protest from Members of the House, had transferred his right and title to the copyright on the book the Story of the Constitution to the Commission, and it is now so recorded; but I was astonished, however, to find that the gentleman had not gone far enough in making this transfer because there are other copyrights in his name on publications put out by the Constitution Commission and the Washington Bicentennial Commission, of which he is also Director General, consisting of copyrights on publications of dance music, song music, pageants and plays, and, in addition, still another group of copyrights on other paintings and publications. I include at this point a list thereof:

1. The Music of George Washington's Time, by John Tasker Howard, copyrighted November 21, 1931, by SOL BLOOM. Registration No. AA96857.
2. The George Washington Play and Pageant Costume Book, compiled by United States George Washington Bicentennial Commission, copyrighted by SOL BLOOM January 2, 1932. Registration No. AA96860.
3. Painting, We the People (an allegorical painting depicting the signing of the Constitution, 1787-1937), by Howard Chandler Christy, copyrighted November 15, 1936, by William Solomon. Registration fee paid by E. L. Fuegel, House Office Building.
4. Painting, Boy Scout and the Constitution of the United States of America, by Howard Chandler Christy, copyrighted December 3, 1936, by SOL BLOOM, House Office Building. Registration No. G24338.
5. Album of Military Marches; Music From the Days of George Washington, copyrighted November 21, 1931, by SOL BLOOM. No. AA96859.
6. Music From the Days of George Washington in Dance Music, copyrighted November 21, 1931, by SOL BLOOM. No. AA96858.
7. Painting, Washington the Mason. Description, Washington dressed in the Masonic regalia, large leather chair in back of him, drapery overhead. By Hattie E. Burdette. Copyrighted January 23, 1932, by SOL BLOOM. No. G7857. Remitter fee paid by Osborne Co., 759 Summer Avenue, Newark, N. J.
8. Print, George Washington, copyrighted October 9, 1931, by SOL BLOOM. No. K14781.
9. Washington and Uncle Sam, copyrighted February 11, 1932, by SOL BLOOM. No. K16172. Remitter of fee, Osborne Co., 759 Summer Avenue, Newark, N. J.
10. Published version of Washington the Mason, copyrighted February 11, 1932, by SOL BLOOM. Remitter fee paid by Osborne Co. No. K16173.

Within the last week there has appeared a series of articles in the columns of a reputable news syndicate, the Scripps-Howard papers, bringing to light certain features of the administration of the Commission, under the Director General, charging that Tammany backers of Representative BLOOM have been given the opportunity to share in the profits from the patriotic, educational enterprise he has conducted with public funds in the name of the United States Constitution Sesquicentennial Commission; that he had given two powerful Tammany leaders, James J. Hines and William Solomon, the opportunity to share in the profits from the sale of The Constitution and from the sale of a vast array of merchandise that the Commission is offering through publicity and advertising releases.

The article further charges that these Tammany leaders are directly responsible for keeping Mr. BLOOM a Member of the House; that they control West Side Manhattan and Harlem areas which lie in Mr. BLOOM's district.

Investigation of the matter has brought to light two features which are worthy of comment. The first concerns the

painting made by Artist Christy called "We the People," facsimile of which appears on the cover of the book The Story of the Constitution. According to this article, Mr. Solomon, Tammany leader of Harlem and Mr. BLOOM's supporter, was given opportunity to make a little money from royalties derived from the use of copies of this official painting. Copies of this poster appeared on millions of pieces of merchandise, including the front cover of the book The Story of the Constitution. This poster is also used as the official emblem on all kinds of merchandise for sale by stores during the sesquicentennial celebration; that Mr. BLOOM arranged the sale of the painting to Mr. Solomon, took him to Mr. Christy's studio, showed him the painting, and while there Mr. BLOOM arranged for the sale of the canvas to Mr. Solomon; price is said to have been \$1,300 to \$1,400, a low price for the work in the opinion of those who ought to know and in the opinion of Mr. BLOOM. To substantiate this, the picture was copyrighted in the Library of Congress in the name of Mr. Solomon, and an employee of Mr. BLOOM or the Commission attended to the matter, paying the fee.

Since this investigation began interested parties have claimed that Mr. Solomon sold the rights back to the Commission a month ago, but yesterday it was still outstanding and copyrighted in his name in the Copyright Office of the Library of Congress.

The use of this picture was given to the Commission gratis, but opportunities for profit to Mr. Solomon came through two new corporations which were formed, which offered sale of the rights of the painting to stores and manufacturers and others who were interested. In addition one of these corporations proceeded to offer for sale not only all the rights to reproduce the painting but a full list of sesquicentennial merchandise, including leather-bound copies of Mr. BLOOM's Story of the Constitution, flags, desk sets, picture albums, jewelry, and various articles that could be sold in department stores during the sesquicentennial celebration. A catalog was sent out by one of these corporations setting forth in glowing terms the scope of the Commission's activities and stating that every man, woman, and child would participate and become active in the celebration and that as a result of this, an unusual opportunity presents itself to store owners throughout the country. Among excerpts from the catalog there appears the statement that all merchandise acquired is authorized and approved by the United States Constitution Sesquicentennial Commission, and after setting forth numerous sales arguments, adds the injunction in glowing terms, "Sell the Constitution," "Let the Constitution help you by suggesting a series of appropriate ceremonies for unveiling the shrine in your store," "Patriotic participation presents profitable promotion possibilities."

I will show you the catalog. Here it is with the caption "One Hundred and Fiftieth Anniversary of the Constitution," together with a proclamation by the President of the United States. There appear hereon the signatures of Franklin D. Roosevelt and Cordell Hull. Then it goes on and gives a list of the eminent commissioners. On every page, 14 in all, you will find these words, "Celebrate the one hundred and fiftieth birthday of the United States Constitution. Patriotic participation presents profitable promotion possibilities." Over 30 articles are pictured and described, each bearing the design of the Commission or a reproduction of the painting copyrighted by Solomon. At the bottom of each page you will find these words: "All merchandise offered, authorized, and approved by the United States Constitution Sesquicentennial Commission."

There is the commercial idea back of all this. This new corporation formed after Mr. Solomon and this group got into the picture put out this catalog and sent it to all stores throughout the Nation, which had been stimulated by this great advertising campaign of the United States Constitution Sesquicentennial Commission, the taxpayers paying the bill.

It utilizes the names of the President of the United States and Mr. Cordell Hull and the Commission, and its list of very distinguished members, to sell America in the name of the Constitution for financial gain in favor of this new corporation.

It is not only the financial profit which was made possible, which creates a sense of outrage, but even more, the fact that in this time of the one hundred and fiftieth anniversary of the signing of the Constitution, this great anniversary and that revered Constitution have been degraded by politicians utilizing them for gain.

Mr. BLOOM. Will the gentleman yield?

Mr. TOBEY. I cannot yield. If the gentleman will get me time I will yield.

Mr. BLOOM. I will get him time.

Mr. TOBEY. After I get through, I will yield to the gentleman.

Mr. BLOOM. If the gentleman wants to be fair, he will yield.

Mr. TOBEY. I want to be fair. When I finish I will answer questions, but not now, sir.

Mr. SNELL. Mr. Chairman, the gentleman from New Hampshire has not yielded.

Mr. BLOOM. Then you are not fair.

Mr. TOBEY. I am perfectly willing to yield to the gentleman at the end of my statement, but not now.

Mr. BLOOM. You are not being fair.

Mr. TOBEY. I am fair, but I know the gentleman.

Mr. BLOOM. That catalog—

Mr. TOBEY. Mr. Chairman, the gentleman has not the floor.

The CHAIRMAN. Does the gentleman from New Hampshire [Mr. TOBEY] yield?

Mr. TOBEY. I do not, and I so stated.

The CHAIRMAN. The gentleman from New Hampshire [Mr. TOBEY] will proceed.

Mr. TOBEY. Mr. Chairman, the other important feature, in my judgment, is that one Mr. Schenker submitted to Mr. Bloom plans for educating the school children about the Constitution. This suggested the building of metal shrines displaying facsimiles of the Constitution, and the scheme finally was worked out to sell these shrines to schools throughout the country for \$25 each. A manufacturing firm in Connecticut won the low bid to manufacture these at \$20 each. The investigation indicates that \$2.50 from each sale went to Messrs. Hines and Schenker, but from the standpoint of these gentlemen it is regrettable that the sales have not been such as to bring great joy or much income. They regretfully assert this.

Mr. Chairman, among the members of this Commission are the names of leading men of this country, men who are above reproach, and whose names have been a potent factor in giving the Commission its standing and confidence before the people. It is inconceivable that these men could have had any knowledge at all of much that has been going on, and had they been so informed they would have been entirely out of sympathy with such procedure.

This Commission was brought into being by an act of Congress. It has spent nearly one-third of a million dollars of the taxpayers' money, and in the light of what I have said, and what to me seem unethical practices which have been brought to light, and misalliances which have been formed, I for one will fight on this floor against any further appropriation of a single dollar to this Commission.

I believe that it is incumbent upon this House of Representatives, in justice to all the members of the Commission, to cause an investigation to be made to determine whether or not these facts that have been brought forth in these newspaper articles are true, and whether or not opportunities have been given for profit to any individuals or political groups.

To me there is much that is reprehensible in the whole matter. If these charges are true, such actions are as rats in the meal of democracy. The Constitution has been used to cloak a racket, and if the House does not look into the

matter and satisfy itself as to the truth or falsity of these allegations, then, in my opinion, I and the other Members of the House are guilty of being accessories after the fact. Therefore, Mr. Chairman, I am filing a resolution calling for appointment of a committee to investigate these charges.

I now yield to the gentleman from New York, a very interested party. Does the gentleman now desire to interrogate me?

Mr. BLOOM. No; I am going to use my own time.

Mr. CULKIN. Mr. Chairman, will the gentleman yield?

Mr. TOBEY. I yield to the gentleman from New York.

Mr. CULKIN. I am in sympathy with the gentleman's statement that the articles which have appeared in the News demand a congressional investigation. The gentleman seems to infer, or, at least, the House may infer from what the gentleman has stated here, that the Constitution has not only political but also commercial possibilities.

Mr. TOBEY. It is so exploited in this matter here.

Mr. BLOOM. Will the gentleman yield for a question?

Mr. TOBEY. Yes.

Mr. BLOOM. Is the catalog to which the gentleman has referred issued by the United States Constitution Sesquicentennial Commission?

Mr. TOBEY. It is not. It is put out by one of the corporations with which the gentleman is familiar, and to which I have referred in my address.

Mr. BLOOM. I want to be sure to get that on the record.

Mr. TOBEY. Let me make clear what is stated on this catalog. On the front page appears "One Hundred and Fiftieth Anniversary of the Constitution: A Proclamation," signed by Franklin D. Roosevelt and Cordell Hull. On an inside page appears "Celebrate the United States Constitution Sesquicentennial. Be patriotic. Build good will and make a profit."

Mr. BLOOM. I know all about it.

Mr. TOBEY. I am sure you do.

[Here the gavel fell.]

Mr. WOODRUM. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. BLOOM].

Mr. BLOOM. Mr. Chairman, yesterday I asked permission to address the House for 1 minute, and at that time I made this statement:

Mr. Speaker, certain newspaper articles have appeared from which an inference might be drawn that the United States Constitutional Sesquicentennial Commission and myself as Director General have been implicated in improper and corrupt practices. These imputations and implied charges are false and defamatory.

I am inquiring further into the matter with a view to requesting the Department of Justice to act, if necessary, in behalf of the Commission. I shall take any steps necessary to protect my own reputation. It is only fair to say that the writer of the original articles advises me today that he was misinformed and that he is so advising his newspaper.

Mr. TOBEY. Mr. Chairman, will the gentleman yield right there?

Mr. BLOOM. No; not until I get through.

Mr. TOBEY. Why is not the gentleman fair, then?

Mr. BLOOM. I will yield when I am through. You would not yield to me.

Let us play this game fairly, not according to politics, hate, spite, or anything else. Let us be fair in the matter. What I said yesterday in reply to the articles which have appeared in a few newspapers in this country I say today in answer to these articles and in answer to the gentleman from New Hampshire [Mr. TOBEY].

Let us see what there is to all this fight. It is evidently an attack on Tammany Hall and the members of Tammany Hall through my being elected from New York City through that organization.

At the proper time, when I have obtained all the evidence necessary to present to the Congress and all the information I believe the Congress should have with respect to this matter, I expect to ask, as is my right and privilege, that I be permitted to address the House and explain everything, bringing all the data with me. I have with me today only

a few papers, and I am going to read these letters and telegrams, which will show the truth with respect to these newspaper articles. Remember, these articles were in no other newspapers except the Scripps-Howard newspapers. No other newspaper in New York City even referred to them in any way. No newspaper in Washington except the News made any mention of the matter in any way, shape, or form.

I agree with the gentleman from New Hampshire that this Friedman catalog was despicable. I think it was terrible. I think it was one of the most outrageous things I ever heard of. That is what I think of the catalog the gentleman from New Hampshire [Mr. TOBEY] read to the Congress. To prove that I did not form this opinion today or yesterday or the day before, when the newspapers brought out this matter, let me read a telegram I sent to the man responsible for it when I was first notified of the existence of this catalog, and this telegram will show what I thought of it and what I was going to do.

My telegram is dated July 30, 1937, 6 months ago; time filed, 1:50 p. m.; and reads as follows:

MR. JOSEPH FRIEDMAN,

267 Fifth Avenue, New York, N. Y.:

You must—and, remember, I say "must"—not send out any catalogs or any advertising matter regarding any material manufactured or controlled or sold by or through the United States Constitution Sesquicentennial Commission, and you have no right to send out any advertising matter or catalog for goods manufactured by yourself that are either in part or in whole the property of or under the control of this Commission, without first receiving my written approval. Unless immediate assurance is given to this Commission that you are going to stop sending out material, I shall place the matter in the hands of the Department of Justice. I told you and you promised me that all advertising matter of every kind would be submitted to me for my written approval before distribution of your goods or any other goods.

SOL BLOOM,

Director General,

United States Constitution Sesquicentennial Commission.

I do not know how the Members on the floor feel about being attacked in newspapers or by Members of the House, but this attack is with reference to a practice I have stopped. The catalog presented here today is one which was received by a newspaper or someone, and I stopped its publication as soon as I found out about it, which was 6 months ago. I think it was terrible to send it out. Could I have done more as your Director General? Could I have threatened this man more strongly than by saying I was going to put the Department of Justice on him? Let us be fair about this matter.

I want to tell some of the Republican Members who are smiling or grinning that this means a lot to me. For 68 years I have gone through this world, and no one has ever dared to say anything against me or my reputation. Laugh or smile, when you get on this floor and you are attacked the way I am being attacked today, you will not want anyone to smile in your face.

Now, let us get at the facts of this matter, and bear in mind I say, "Let us get at the facts."

On May 29, 1937, I wrote a letter to this same party:

I note your letter dated May 26th is addressed to Mr. Solmson. In the future please be advised that all mail should be addressed to the Director General of the Commission and not to an individual.

What I want to say is, that I notice that you sign your letter Sesquicentennial Merchandising Corporation. This I very strenuously object to, because the impression might be given out that you are directly connected with this Commission and this impression must be eliminated immediately.

Please be advised, furthermore, that your statement that you have exclusive rights for the reproduction of anything is in error. This Commission will see that you are protected on any merchandise that you get out, but the Government does not and cannot allow anyone to have exclusive rights on anything in which they are participating.

Could your Director General—

[Here the gavel fell.]

MR. WOODRUM. Mr. Chairman, I yield the gentleman 5 additional minutes.

MR. BLOOM. Could I or anyone else have been more careful in seeing that the Commission was protected and that no

communication should come to anyone except to me or to the Commission itself? These letters are not opened by me, but every letter is opened and read by the mail division and distributed to the proper department.

MR. GIFFORD. Mr. Chairman, will the gentleman yield?

MR. BLOOM. I yield.

MR. GIFFORD. Will the gentleman tell us what arrangement was in existence between Mr. Friedman and yourself or the Commission?

MR. BLOOM. None whatever. He was just the same as any other merchandising firm.

MR. GIFFORD. I simply want to know if he had sought any arrangement or connection.

MR. BLOOM. Absolutely none. Let me ask the gentleman this: If there were any connection between Mr. Friedman or anyone else and myself, would I have dared to threaten to put the matter in the hands of the Department of Justice? Would I have dared to write him letters of this kind? I am protecting the Commission in seeing that no one has any exclusive rights.

MR. GIFFORD. The gentleman misunderstands me. The gentleman stated that he would be protected by the Commission in certain ways had he sought any favor from you.

MR. BLOOM. No; but let me present the other letters, and then I will show the gentleman just what I have in mind.

This is written on June 7:

Replying to yours of June 2, in which you present me reasons for your action in incorporating under the name of the Sesquicentennial Merchandise Corporation, beg to advise that I am of the same opinion as expressed in my previous letter to you, that such procedure could not be approved, and your letter has in no wise changed my viewpoint.

In everything we do we are very careful to avoid any appearance whatsoever of commercialization in the activities or affiliations of the United States Constitution Sesquicentennial Commission.

I made myself plain in my first objection to your action, and I am not inclined to view the matter in any other way.

MR. THOMAS of New Jersey. Mr. Chairman, will the gentleman yield?

MR. BLOOM. I would prefer not to yield at this time.

MR. THOMAS of New Jersey. Have you the answers or the replies to those letters that you sent to these people?

MR. BLOOM. Yes; because this is in answer to his letter in which he was trying to give me the reason he should use the name.

MR. THOMAS of New Jersey. You have received the replies and have them in your files?

MR. BLOOM. Yes; these are just some letters I happen to have with me.

MR. ANDREWS. Mr. Chairman, will the gentleman yield?

MR. BLOOM. Just let me finish this statement first.

That letter was June 7, and this letter is on June 23:

Your letter of June 22, 1937, acknowledged.

We would suggest that you submit all advertising matter, catalogs, or magazines which you propose having printed before you print them, so that there will be no occasion in the future for this Commission taking any exception to what you are doing.

This is for your own protection as well as ours.

Now, please remember that all of these letters were addressed to the Advertising Associates of America.

MR. ANDREWS. Mr. Chairman, will the gentleman yield?

MR. BLOOM. I yield.

MR. ANDREWS. I think we would all be interested in knowing what was the original connection with this company.

MR. BLOOM. No connection whatever, any more than with any other firm getting out commemoration articles. At every celebration, whether it is an inauguration of the President in Washington or anything else, there are certain firms that commercialize such things, and some of them get out very expensive things, like those that were gotten out in connection with the coronation in England.

[Here the gavel fell.]

MR. WOODRUM. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. BLOOM. They get this merchandise out to sell, and we could not stop them unless they misrepresented something. When this fellow started to use the name Sesquicentennial Merchandising Corporation, let me tell you that if the 435 Members of this body got up en masse against him they could not be more severe with him than I was. I stopped him. Certainly I stopped him; and I threatened that if he did not stop I would put the matter in the hands of the Department of Justice. This is shown by the telegram I have just read to you. Please remember this: I am going to make at the proper time, under my rights as a Member of this body, a complete statement.

But I want to say this: That the picture that was bought by Mr. Solomon from Mr. Christy was bought at my request. The Commission at that time did not have the money to buy the picture. We wanted to use the picture. Mr. Solomon bought the picture and he let me use it. It has never been in his possession from that time to this. We have it at the Commission headquarters. He allowed us to use it. It has been reproduced in practically every newspaper in the United States, not one cent being charged to the Government of the United States or to any newspaper. Certainly Mr. Solomon copyrighted the picture. It was his property. He paid Christy for it. The Government of the United States has used this picture from the day it left Mr. Christy's studio up to the present time, and it has never been out of the possession of the Government of the United States, all without a cent being charged. And now when they find out in the newspapers that reports have gone out that Tammany leaders have been making money on this—now that they have found out that no money has been made, that Solomon has not charged the Government one cent, that use of the picture has been free to the Government and the newspapers, then they say that the Tammany leaders are now protesting because they did not make any money out of it. That shows the absurdity of it, and this telegram and these letters and everything we have at the headquarters you gentlemen are welcome to see and examine. But I say this right now, that I have done everything under the sun to protect the Government of the United States, the Congress, and everybody else, and nothing was done that we could be criticized for. We cannot stop this political fight in New York City, but, Mr. Chairman, I should not be blamed for it or made the goat because some newspapers are opposed to Tammany Hall. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. WIGGLESWORTH. Mr. Chairman, I yield 1 minute to the gentleman from New Hampshire [Mr. TOBEY].

Mr. TOBEY. Mr. Chairman, in his remarks of yesterday the gentleman from New York said, and he repeated this morning, speaking of the newspaper articles, that it is only fair to say that the writer of the original articles confessed to him that he was misinformed and that he had so advised his newspaper. The gentleman from New York [Mr. BLOOM] was thereby trying to give the House the impression that the newspaper was wrong and admitted it. Mr. Chairman, I talked to that writer this morning, he came to me voluntarily, and he told me there was no truth in Mr. Bloom's statement, and that, on the contrary, he takes nothing back, that his newspaper's story is all true, and he stands by it.

The CHAIRMAN. The time of the gentleman from New Hampshire has expired.

Mr. WOODRUM. Mr. Chairman, I yield the gentleman from New York [Mr. BLOOM] 2 additional minutes.

Mr. BLOOM. Mr. Chairman, I really do not want to say what I am going to say now; but if the gentleman from New Hampshire insists on being a little too pressing in this matter, it might involve a Member of the House; and that should not be done, because I do not believe there is any truth in it. However, as long as the gentleman from New Hampshire wants to pursue this matter I shall go through with it. Does the gentleman want to pursue it?

Mr. TOBEY. I want to pursue it and have a committee appointed to go through the whole rotten mess and show up the racket.

Mr. BLOOM. Very well. Mr. Chairman, when this thing first came to my attention we tried to find out who this newspaper writer was. We tried to find out what this was all about, and we did find out something. Please remember that bids are handled by Mr. Henry West, whom many of you gentlemen know—a member of the Gridiron Club for 50 years, a former Commissioner of the District of Columbia, a gentleman above reproach, a gentleman no one could influence in any way.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. WOODRUM. Mr. Chairman, I yield the gentleman 5 minutes more.

Mr. BLOOM. When this first came up I had Mr. West go to the newspaper agency that we thought was trying to get this story and told them to come down to the Commission and to go into everything; that we would tell them everything that they wanted to know.

The doors of my office are open to anybody who has legitimate business with me. I have never failed to see a newspaperman or anybody else with legitimate business who came to my office. This article was written in Washington, which is shown by the date line. The writer made no effort to see me prior to telegraphing it to his paper. Every Member of Congress will understand when I tell you that it is a cardinal rule of all conscientious newspapers to present both sides of any story at the same time where the interested party can give his side of it. It appears to me that this is a deliberate violation of newspaper ethics. It simply served the purpose of this newspaper to print the story without making a complete effort to get all of the facts. The truth of the matter is that the writer of this article was afraid to come to see me in advance because if he had come to see me I would have given him the facts and he would not have had any article.

This person who wrote these articles went up to Connecticut where the shrines are made and he mentioned the name of Mr. BRUCE BARTON, a Member of this House. He said that BRUCE BARTON ought to be at the head of the United States Constitution Sesquicentennial Commission; that "We are going to put SOL BLOOM out and put BRUCE BARTON in." I knew there was no truth in this. I know that that was just merely a feeler or something of that kind. The writer of this article came to my office Tuesday morning, which was the day the article was printed. Remember this article was wired to New York before he saw me. I saw him and had a talk with him at that time and I made an engagement for him to come to my office again on Wednesday morning, which he did.

Early Wednesday morning I called up the gentleman from New York [Mr. BARTON] and said, "Bruce, I want you at my office this morning at 10 o'clock." I said, "It is important that you be there."

When this writer came in I telephoned to the gentleman from New York [Mr. BARTON] and had him come up and meet this writer. I then told the story, and I told the gentleman from New York [Mr. BARTON] that I did not believe there was one word of truth in it, but I wanted to stop this writer from talking about it. I wanted this misrepresentation to be stopped as far as my colleague was concerned. That is why I brought the gentleman from New York [Mr. BARTON] to my office, and I faced the two of them.

"Oh," the writer said, "it just started in an offhand way."

"But," I said, "that is not the question. You did say that BRUCE BARTON ought to be at the head of this Commission, so they could advertise and sell these things with his great big advertising agency."

The whole thing, of course, was absolutely absurd as far as the gentleman from New York [Mr. BARTON] was concerned; so, when this writer left my office—and if you will

allow me to bring the witness on this floor I will prove it to you—he said as he left my office, “I am going back to New York right away and write a story, but I do not know whether my paper will print the story that I will write after getting this information and that will end it.”

That is what he said as he left the office. A man who will write such things and say such things and use the name of a Member the way he used the name of the gentleman from New York [Mr. BARTON], of course, is apt to say anything. He did not come to me until about half past 10 Tuesday morning, when this article reached the street. When he thought it was on the street he rushed out of my office. He told me he rushed out in such a hurry because he wanted to get to his newspaper so as to change certain things that he had in there after he found out the information I had given him with reference to this matter; and he thought it would be embarrassing for him to be in my office when I learned that the article was already published.

Now, as far as Sol Bloom is concerned, Mr. Chairman, or as far as this Commission is concerned, I am not afraid of any investigation by anyone, or any crowd of people, or the entire membership of this House. I welcome it; and let us have it right here on the floor, if you want to, so we can have all the information and everyone get it and get it right. That is all.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield 20 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Chairman, we are confronted with a situation that may lead us to a national crisis, a situation that deserves the consideration of every Member of the House of Representatives, and I make this statement after having listened earnestly and diligently to the reading of the President's Budget message to Congress on yesterday. Before speaking definitely with reference to the Budget message I shall preface my remarks by a few statements of fact as to where we have been as a nation, where we are at present as a nation, and where we are headed in the future as a nation if we continue the policies of the present administration so far as fiscal affairs are concerned.

WHERE WE HAVE BEEN AS A NATION

In the first place, we will look back over the history of this Nation and see what we accomplished in 150 years. We find that the United States today contains 6 percent of the world's area and 7 percent of the world's population. With this small area and this small number of people in comparison to the area and population of the world as a whole, let us see what the American people have been able to do and what is our position in comparison with nations of the world. At this time we find that the American people consume 48 percent of the world's coffee, 56 percent of the world's rubber. We consume 53 percent of the world's tin, 21 percent of the world's sugar, and we consume 69 percent of the petroleum produced in the world. The people of the United States consume 72 percent of the silk produced in the world and 36 percent of the coal that is produced in the world, 47 percent of the world's copper, and 42 percent of all the pig iron produced in the world. Some country, I would say.

The people of the United States of America operate 80 percent of all the motorcars produced in the world.

That means that for every 100 people in the United States there are 22 automobiles and for every 100 Canadians there are 11 automobiles. In other words, every 100 of our people operate 22 automobiles and every 100 Canadians operate 11. In France there are 5 automobiles per 100 of the population; in Great Britain and her provinces, 5 automobiles to every 100 of population; in Germany, 2 automobiles to the 100 of population; and in Italy, 1 automobile to each 100 of the population. The United States with this small number of people operates 60 percent of the world's telephones. The United States produces 60 percent of the wheat grown in the world and 55 percent of the cotton—one of the greatest

agricultural countries in the whole world; a remarkable country and a great people; one of the best educated, and that is because we have the greatest school system in the various States.

In this country we operate over 33 percent of the railroads of the world. Our country produces 41 percent of the lead and 70 percent of the oil of the world. This country produces 52 percent of the copper, 51 percent of the pig iron, and 40 percent of the world's supply of coal.

According to the statement of the Federal Government dated January 3, the United States has on hand more than half of the world's supply of gold, or over \$12,750,003,288.63.

The people of the United States have over 66 percent of the world's banking resources.

In other words, Mr. Chairman, the purchasing power of 7 percent of the world's population, or the population of this country, 130,000,000 people, is as great as the 500,000,000 people of Europe. That same population has a purchasing power greater than a billion Asiatics. No country can compare with our past prosperity.

Mr. SIROVICH. Will the gentleman yield?

Mr. RICH. I yield to the gentleman from New York City.

Mr. SIROVICH. I was very much interested in the number of automobiles the gentleman mentioned in every country per 100. The gentleman mentioned that we had 22 per 100 in this country, which is about the largest ratio of any country in the world.

Mr. RICH. Much larger than any other country; 100 percent more than the largest of them.

Mr. SIROVICH. Does the gentleman think we have reached the saturation point, and that that might be a possible cause for the recession in the automobile industry?

Mr. RICH. I cannot say that. It is possible such a saturation point has or has not been reached, although I do not think so. I believe there is a great deal of opportunity for people in this country to have automobiles. We are using on the highways many that for safety sake should be on the scrap heap. They are dangerous to operate, many of them.

The point I want to bring to the attention of the Members of the Congress is that in 150 years of the capitalistic system, and that is the system this Nation has operated under, the United States has gone ahead and advanced. Any man who owns his own home is a capitalist. Any man who owns his own automobile is a capitalist. Any man who owns his own farm is a capitalist. Therefore, this capitalistic system that we have heard discussed so much by Members of the House of Representatives to me is the thing that has built this country to the point it has reached today. The capitalistic system is a system that we should foster and one that we should aid with proper legal limitations.

Mr. CRAWFORD. Will the gentleman yield?

Mr. RICH. I yield to the gentleman from Michigan.

Mr. CRAWFORD. Will the gentleman permit this observation, which is based on figures released only last week? It appears that 60 percent of the automobiles now on the road are used cars purchased by people with incomes of \$30 per week or less; that on account of the recession and other troubles, people have stopped buying used cars, therefore, the agencies selling new cars cannot make a trade because their capital is tied up in used cars, which are not moving. That backs the entire proposition up to the manufacturer of the automobiles and forces him to close down.

Mr. RICH. I thank the gentleman for his contribution to my remarks.

WHERE WE ARE AT PRESENT AS A NATION

I want to continue and show just where we are today. Mr. Chairman, I am not trying in any way to cast any reflection on anyone because he might be a Democrat or because he might be a Republican. These are the plain facts, and we have to face them. If the Members of the House of Representatives are honest and conscientious they will find

this is the situation that faces us at the present time. If we have the ability, and I say this in kindness, we must do something differently from what we have been doing in the last 5, 6, or 7 years. We started out under the policy of the present administration by trying to regiment through the N. R. A., the A. A. A., and various other organizations. This is contrary to the spirit of our Constitution, by which we have permitted the people of our country to go ahead. When that opportunity is taken away from the American people they are going to retrench. There is no use in a man doing something or trying to do something that is prohibited by law. I believe the greater number of our American people are law-abiding citizens. They want to do the right thing. They want to obey the law. Therefore, if our laws are not right, it is your duty and my duty as Representatives in Congress to change that law.

When we take opportunity away from the individuals of this country we kill who? We kill the American people who have had the initiative to go ahead and do things. I contend that is wrong. If a man, by virtue of his ability to operate or conduct his business or his own affairs, makes too much money, we have a redress in the income tax or the inheritance tax and we can keep everybody on whatever level we desire. They are not going to run away and steal everything from the other man. The law will not permit that. America stands ahead of the other nations of the world in the ability of its people to produce and in the ability to accumulate so many things. The people of the United States stand head and shoulders above the people of all other nations in the progress they have made. The records prove it. They speak for themselves; and I do not make that statement because I want to gloat over the fact, but I make it because it is a statement of fact. I am for America first, last, and all the time.

Are we going to maintain our standards? Are we going to keep ourselves in the position of being a nation of prosperous people and a nation of intelligent people, the position we occupy today? If so, then we should do things differently than they are being done at the present time. We must first stop this spirit of class hatred that is permeating this administration.

We have tried to take care of the people of this country during the last 3 or 4 years by what we call priming the pump, a method of starting business. But it is going backward today. We have spent money foolishly. We did many things that should not have been done, and if you do not know that now, you will come to that realization very shortly, as soon as all the facts become known to the public.

In 1934 you spent \$1,646,000,000; in 1935, over \$3,000,000,000; in 1936, \$4,025,000,000; in 1937, \$972,000,000; in other words, a total of \$10,000,000,000 priming the pump to put 10,000,000 people on industry pay rolls, but it can go so far and no further. Greater confidence to business is needed from its Government.

We talk about recession because we find that conditions are not as we had planned them, as was stated by the highest Government official we have. Last year when things were going better, we planned it so. What would he say today? You may say what you please about this being a recession. I think we are in one of the worst depressions we have been in since 1932, and that is only a few years ago. If you do not do things differently, there will be disaster. You may call it a recession now, but you will eventually call it what it is—a real depression. It is not going to lose its effect because you call a depression a recession. "A leopard cannot change its spots." A depression is what it is.

Mr. RANKIN. I understood the gentleman to say it was a depression.

Mr. RICH. It is a depression, and the gentleman will say so, too, very shortly if conditions become any worse than they are today, and I do hope that is not the case.

Mr. RANKIN. I understood the gentleman to say "a depression."

Mr. RICH. Yes; depression. The President appointed Mr. Biggers to take a census last November, which he did, and he reports 7,822,912 people registered as unemployed. He also states that the total may be as high as 10,870,000. Since he has taken this census a report has come out to the effect that probably two to three million more have been added to the list of unemployed.

This is a deplorable situation, and we ought to try to correct it. There is no use taking any more censuses to find out how many people are unemployed. If only 2,000,000 people are unemployed, it is 2,000,000 too many. What we should try to do now is regulate things so we can give these men jobs. However, you are not going to regulate things so men will be given jobs until you either change some of the laws you have passed or annul them altogether. You must restore confidence.

When the President read his message the other day he said, "What would you eliminate?" It is not difficult to tell him that. I would have been only too happy to have stood up and said, "Mr. Speaker, will the gentleman yield?" and told the President right to his face what he ought to eliminate and what laws we ought to change. He has never yet asked me for any advice, however.

Mr. ROMJUE. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield to the gentleman from Missouri.

Mr. ROMJUE. Will the gentleman tell us now what he would eliminate?

Mr. RICH. Yes; I am going to do that.

Mr. ROMJUE. Will the gentleman first tell us if he would eliminate the guaranty of bank deposits, the first act of the Democratic administration?

Mr. RICH. No. You have passed some good laws. I want to give you credit for anything you have passed which is good. Many of them, however, should be amended.

Mr. ROMJUE. I thank the gentleman.

Mr. RICH. There are a lot of them, however, to which you should give very serious consideration. Do not think for a minute I am trying now to harpoon the Democratic administration. I try to harpoon the Democratic administration when I know it is wrong, and I will stand here and harpoon the Republicans when they are wrong. I attended a meeting of the Committee on Appropriations this morning when an attempt was made to cut out all the appropriation for the N. L. R. B. I voted against doing so, although someone may say I was voting for the expenditure of Government money. I knew cutting out the appropriation was a foolish thing to do. What you should do is change the structure of the N. L. R. B. to give employers the same rights and the same opportunities you give the labor unions. When any law is one sided and does injustice to one class of people, it certainly will eventually do injustice to another class of people. It was to stop strikes but in the past 10 months we have had over 4,000 strikes—more than in any year in our history—involving 1,768,791 persons, and at a cost of 26,509,205 work days. When the N. L. R. B. was to cause strikes to cease. Should it not be changed? I believe you will agree with me in that it should be.

Mr. DEMUTH. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield to the gentleman from Pennsylvania.

Mr. DEMUTH. Does not the gentleman think our exchange system has again failed, and that this is a panic? Our private monetary system has again collapsed. Why try to deceive the people by calling it a recession when it is nothing but an old-fashioned monetary and exchange panic?

Mr. RICH. May I answer the question in this way. Any man who has worked and worked hard and saved a little money appreciates the fact he has a nest egg, as we call it. It is something he has earned, and he wants to save it in order to protect himself and his family against adversity or for use in future years, and he is going to be conservative

in deciding how he spends the money. You would do the same, every Member of this Congress would do it, and I would do it.

When a man who has tried to save sees there are no opportunities to invest money in business and make that capital work, and is afraid that if he does invest it the money is going to be lost, he would be a fool if he did invest his capital. If you think for a minute a man is going to be foolish enough to do this, you do not have any sense of personal responsibility. It just cannot be done, and it just will not be done. In my judgment, the man who does make such an investment would be a very foolish person. A wise investment is a good thing, a poor investment no person wants. People today have lost confidence in our public officials. That is the reason capital is on a strike.

Mr. PATRICK. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield to the gentleman from Alabama.

Mr. PATRICK. I am not trying to interfere with the gentleman's statement, but the gentleman stated he has some suggestions to make.

Mr. RICH. Yes; if I am allowed to get to them.

Mr. PATRICK. I would suggest that we give the gentleman an opportunity to offer the suggestions he has in mind to help relieve the situation.

Mr. RICH. Fearing that my time is very short, I will start in on a few of the suggestions I have. First, I would repeal the undistributed profits tax. It would start improvements to manufactories and the installation of new machinery, thus putting many men to work in this manner, besides helping to make business solvent.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield 5 additional minutes to the gentleman from Pennsylvania.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. The gentleman has spoken about 15 or 20 minutes and has made a very wonderful statement, but he has as yet said nothing about where we are going to get the money.

Mr. RICH. I wish I had time to go into the question of "Where are you going to get the money?" I know I cannot tell you where you are going to get it, and I know this administration has not told you where you are going to get it, but if we continue on spending the way we are, we will bankrupt America. This I know and if the Congress does not know it then I would say this is certainly an incompetent Congress.

Mr. PATRICK. Mr. Chairman, will the gentleman yield?

Mr. RICH. No; I will not yield to anybody now. I will not have the time. I am sorry.

The President's Budget message yesterday revealed these facts for the fiscal year 1939:

Expenditures—\$6,869,000,000.

Receipts—\$5,919,400,000.

Net deficit—\$949,600,000.

Debt total at end of year—\$38,528,000,000.

For the 1938 fiscal year ending next June 30 he revised his figures to estimate:

Expenditures—\$7,408,600,000.

Receipts—\$6,320,500,000.

Net deficit—\$1,088,100,000.

Debt total at end of year—\$37,603,600,000.

A deplorable situation after he promised a balanced Budget for 1938. Four times he has revised his estimates for the year 1937-38 from a balanced Budget to the fourth revision of \$1,088,100,000 debit. Now I want to say to you as I have said before when the books close on June 30 it will be a deficit of a billion and a half or more. A sorry situation. Mr. Roosevelt cannot show you where you will get the money. He does not know how.

Then you have established here in Washington more than 70 bureaus since this administration came into office. I am not going to have time to refer to the individual bureaus you have established, but I would cut out at least half of them. He stated many times in public we had too many yet he is the greatest offender in our history of his own criticisms. Read his record.

I would rearrange the capital-gains tax or amend that law so as to encourage investment in productive enterprise.

I would eliminate all Government competition with private enterprise and I would not care what the Government enterprise was. [Applause.]

I would reorganize the departments of the Government similar to Senator BYRD's proposal, and we could get 300,000 of employees off the pay roll in a fortnight and would not hurt the efficiency of the departments. I would stop these foolish and wasteful departments that mean little to the welfare of the Nation. We have many and they are duplications. I would stop Mr. Ickes from making speeches that create class hatred, as an administration mouthpiece, and Mr. Jackson doing the same in his speech on Strike of Capital, and Mr. Ickes trying to blame the depression on the veterans. All pure bunk. We need cooperation today of Government and business, and we need cooperation of business and labor. We need to work together. Keep American markets for American labor, American farmers, and American business.

Stop the reciprocal trade agreements. We only get the worst of it, as is shown by the increase of imports the past year. American business will not commit suicide. But it can and is being strangled to death by our recent laws and by taxation.

WHERE IS THE BREATHING SPELL?

I have heard more men who are in business, during the past 3 months, state that they could not see any future in business and that they were going to get out before they were compelled to lose all they have or go into bankruptcy. I received a pitiable letter today from a young businessman who is pleading for me to get him a loan of \$3,700 or he will be compelled to quit business, he says, "Believe me, I have had enough headaches in business. I want to quit. If you cannot get me the loan, can you get me a job?" Gentlemen, that is the story. Why? Why? Why do we find ourselves there; we are taking opportunity away from men to do business. We harass them by regulation, we compel them to make too many reports, we tax them to the point of strangulation. We regiment the farmer, we want to tell him how he shall milk the cows and how many he can have, how much wheat he can plant, how many hogs and cattle he can raise, and what fields he can put in tobacco. Oh, it is a headache to the farmer who wants to work. It is a nightmare to the fellow who wants a job. It is almost suicide to the fellow, the manufacturer who creates jobs, and it is awful to the laborer who wants to work and have his independence.

Mr. Roosevelt thinks he knows. Poor fellow, never had experience; but his advisers never successfully worked either. They have no business experience. He never earned money by the sweat of his brow; he only has had political jobs; and as for balancing his finances, he never did and he never will. Take it from me, he does not know how.

His operation of a business enterprise to me would be like taking the night watchman of a large plant and making him general manager. No sense to it.

WHERE ARE WE GOING FROM HERE?

Members of Congress, you have the key to the situation. Will you continue to be a rubber stamp? Will you put through any legislation that comes before you if you do not believe it for the best interest of the country?

To the Appropriations Committee of the House, cut down your spending. To the Ways and Means Committee, be wise in your taxation. To all Members, be careful of your laws,

that they be for the best interest of all. Do not let selfishness chart your course.

Members of Congress, if you do that we can maintain our form of government and continue to make this the greatest country on the face of the earth. If you do not, you will lay up a debt that will crush the oncoming generations; it will bankrupt the Nation; and, remember, it will be your fault.

Congress, it is up to you. What will you have it?

[Here the gavel fell.]

Mr. FITZPATRICK. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. DEMUTH].

Mr. DEMUTH. Mr. Chairman, no doubt the many friends of Congressman LISTER HILL were happy to hear of his success in the recent primary election for the office of United States Senator from Alabama. [Applause.] It is of the greatest significance and importance to note Congressman LISTER HILL was one of the southern Representatives that voted for the wage and hour bill. He ran on a 100-percent Roosevelt New Deal platform. Many of the southern Congressmen contended that this vote would seriously interfere with his success at the election. It is now evident that it helped my friend LISTER HILL, and I do hope that it will be a guide to the other Representatives of the South.

The southern voters felt, no doubt, that LISTER HILL's vote on the wage and hour bill was in their best interest because they are intelligent enough to know that a vote the other way would be an implication that the people of the South are not the equal of our citizens of the North as regards to economic and social standing. The people of the South are intelligent enough to know that the success of the South depends upon the ability of the masses to maintain the proper economic and living standards. LISTER HILL's success should be a warning to certain Representatives of the South that their constituents will no longer tolerate the inference that their people are inferior to those of the North. That their people do not relish the opportunity of being exploited by the undesirable carpetbag industrialists from the North.

We must advance together as a Nation as nearly as possible every citizen on an equal basis with special privilege for none and equality for all our citizens. The South will go forward with wage and hour legislation and the Nation will advance hand in hand with it. [Applause.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, I rise at this time to speak briefly in respect of one of the items in the bill which is now under consideration.

I rise to renew the appeal I have made on several occasions for a thoroughgoing investigation into the entire radio broadcasting field and to bespeak particular consideration by the Members of the House of the testimony embodied in the hearings in connection with the appropriation for the Federal Communications Commission.

It is unnecessary for me to repeat the arguments which I have heretofore made on this floor and elsewhere in advocating such an investigation. I have emphasized repeatedly the fact that Congress in enacting the Federal Radio Act and the Federal Communications Act sought to attain certain definite objectives. Among these objectives were the elimination of monopoly or the evils of monopoly, the elimi-

nation of private ownership or its equivalent in the channels of interstate and foreign transmission, and the elimination of undesirable trafficking in licenses.

I submit, Mr. Chairman, in the light of evidence available today that we have attained no one of these three objectives. On the contrary, virtual monopoly is at hand under the big three broadcasting chains of this Nation—Columbia, Mutual, and National. Private ownership in radio frequencies or its equivalent has not been thrown aside, and undesirable trafficking in licenses, with all the possibilities with which we have been familiar in other fields for the capitalization of earnings and profits to the detriment of the American people generally, has not been eliminated.

I submit that the record before your subcommittee this year indicates that little or no progress has been made toward these desired objectives; that, on the contrary, the conditions referred to have persisted.

Mr. Chairman, if the administration is sincere in its recent statements in regard to monopoly, here is a monopoly of the most dangerous kind under the complete control of the National Government. Here is a monopoly which may be fairly said to have been directly fostered by that Government. Surely the evils of this monopoly should be attacked and eliminated at the earliest possible moment.

Mr. SIROVICH. Mr. Chairman, will the gentleman yield for an observation?

Mr. WIGGLESWORTH. I yield briefly.

Mr. SIROVICH. Does my distinguished friend feel that it is for the best interest of the Nation that newspapers, magazines, periodicals, or publications should be in control of chains of radio stations throughout the Nation?

Mr. WIGGLESWORTH. I think that is a very fundamental question. I do not know that I am personally prepared to take a definite position in the matter. It is, of course, well known that the tendency of newspapers to acquire broadcasting stations in this country has very materially increased in recent years.

Last year, Mr. Chairman, I inserted in the CONGRESSIONAL RECORD certain tables which had been prepared by the Communications Commission. These tables gave the details as to assignments of radio frequencies and transfers of control in such frequencies made with the approval of the Commission. Instance after instance appeared in those tables of the transfer of licensed broadcasting stations for a consideration far in excess of the replacement cost of the station transferred. Other instances appeared of the transfer in the form of a lease for periods in excess of the original license, which, of course, is limited by law to a maximum of 3 years. The Members of the House will recall the transfer of station KNX, in Los Angeles, Calif., to the Columbia Broadcasting System, a station with physical assets, after deducting accounts receivable, cash, and goodwill, said to amount to about \$63,000, a station transferred with the approval of the Commission for a consideration amounting to \$1,250,000. Among the leases referred to was a lease for 7 years of a station with a replacement value of less than \$500,000 for a total rental of something over \$1,500,000; another lease for a period of 10 years, with an option of renewal for 10 years; and still another for a period of 99 years. Under leave to extend, I insert at this point two further tables prepared by the Commission bringing the same information down to date.

Station	Location	File No.	Assignor	Assignee	Original cost of fixed assets	Replacement cost of fixed assets	Total claimed value of physical and intangible assets	Station earnings		Consideration paid	Date granted by Commission
								Net profit or loss	Period		
KANS.....	Wichita, Kans.....	B4-AL-158..	Charles C. Theis.....	The Kansas Broadcasting Co.....	\$13,217.20	\$13,993.31	\$13,500.00	\$4,153.82	2 months..	\$13,500.00	Mar. 2, 1937
KCMO.....	Kansas City, Mo.....	B4-AL-133..	Lester Cox, Thomas L. Evans, and C. O. Payne.....	KCMO Broadcasting Co.....	12,636.95	13,336.95	20,222.92	\$4,741.61	4 months..	\$63,222.92	Dec. 15, 1936
KEHE.....	Los Angeles, Calif.....	B5-AL-168..	Evening Herald Publishing Co.....	Hearst Radio, Inc.....	95,510.10	112,123.88	124,204.76	(⁹)	(⁹).....	\$141,425.75	Apr. 20, 1937
KFBI.....	Abilene, Kans.....	B4-AL-170..	The Farmers & Bankers Life Insurance Co.....	Farmers & Bankers Broadcasting Corporation.....	128,100.60	98,836.56	89,556.35	\$6,776.79	6 months..	\$99,500.00	July 6, 1937
KGFX.....	Pierre, S. Dak.....	B4-AL-143..	Dana McNeil, deceased.....	Ida A. McNeil, administratrix of the estate of Dana McNeil, deceased.....	(⁹)	(⁹)	(⁹)	(⁹)	(⁹).....	None	Mar. 26, 1937
KHUB.....	Watsonville, Calif.....	B5-AL-177..	F. W. Atkinson, deceased.....	Anna Atkinson, executrix of the estate of F. W. Atkinson, deceased.....	(⁹)	(⁹)	(⁹)	(⁹)	(⁹).....	None	June 29, 1937
KIUP.....	Durango, Colo.....	B4-AL-124..	O. Guy Shepard.....	San Juan Broadcasting Co.....	7,724.90	7,952.05	5,664.46	\$159.16	6 months..	\$550.00	May 4, 1937
KONO.....	San Antonio, Tex.....	B3-AL-171..	Mission Broadcasting Co.....	Eugene J. Roth, doing business as Mission Broadcasting Co.....	19,159.29	(⁷)	16,278.15	3,001.64	do.....	(⁹)	May 25, 1937
KOVC.....	Valley City, N. Dak.....	B4-AL-155..	George B. Bairey.....	KOVC, Inc.....	12,486.23	10,486.23	10,066.79	2,687.04	2 months..	\$4,450.00	Apr. 9, 1937
KRNR.....	Roseburg, Oreg.....	B5-AL-164..	Southern Oregon Publishing Co.....	News-Review Co.....	(⁹)	(⁹)	(⁹)	585.26	6 months..	None	Mar. 16, 1937
KVOX.....	Moorehead, Minn.....	B4-AP-20..	Robert K. Herbst.....	KVOX Broadcasting Co.....	¹⁰ None	None	None	None	None.....	None	Sept. 7, 1937
WAAB.....	Boston, Mass.....	B1-AL-157..	Bay State Broadcasting Corporation.....	Yankee Network, Inc.....	142,000.00	118,000.00	128,000.00	\$27,000.00	6 months..	None	Jan. 26, 1937
WALA.....	Mobile, Ala.....	B3-AL-176..	Pape Broadcasting Corporation, Inc.....	W. O. Pape, doing business as Pape Broadcasting Co.....	(⁷)	(⁷)	(⁷)	(⁷)	(⁷).....	(⁹)	July 30, 1937
WAPI.....	Birmingham, Ala.....	B3-AL-174..	WAPI Broadcasting Corporation.....	Alabama Polytechnic Institute, University of Alabama and Alabama State College (board of control of radio broadcasting station WAPI). J. W. Woodruff, doing business as Atlanta Broadcasting Co.....	(¹¹)	(¹¹)	(¹¹)	(¹¹)	(¹¹).....	None	July 6, 1937
WATL.....	Atlanta, Ga.....	B3-AP-17..	J. W. Woodruff and S. A. Cislser, Jr.....	J. W. Woodruff, doing business as Atlanta Broadcasting Co.....	(¹²)	(¹²)	(¹²)	(¹²)	(¹²).....	None	Jan. 5, 1937
WBCM.....	Bay City, Mich.....	B2-AL-188..	James E. Davidson.....	Bay Broadcasting Co.....	67,945.20	54,113.68	39,399.28	10,781.33	12 months..	\$139,399.28	Oct. 5, 1937
WLWL.....	New York, N. Y.....	B1-AL-172..	Missionary Society of St. Paul the Apostle.....	Arde Bulova.....	132,514.52	116,100.52	68,877.14	22,504.92	12 years..	275,000.00	May 4, 1937
WFLA.....	Clearwater, Fla.....	B3-AL-120..	Clearwater Chamber of Commerce.....	Florida West Coast Broadcasting Co., Inc.....	58,400.00	79,400.00	40,104.35	18,581.32	16 months..	\$252,700.00	Aug. 18, 1937
WHBB.....	Selma, Ala.....	B3-AL-142..	R. J. Reynolds, Jr., J. C. Hughes, and J. S. Allen, doing business as Selma Broadcasting Co.....	Selma Broadcasting Co., Inc.....	14,292.70	14,292.70	11,986.61	\$631.07	9 months..	\$12,000.00	July 20, 1937
WICC.....	Bridgeport, Conn.....	B1-AL-156..	Southern Connecticut Broadcasting Corporation.....	The Yankee Network, Inc.....	127,663.10	77,514.00	66,142.05	23,274.32	6 months..	None	Jan. 26, 1937
WMC.....	Memphis, Tenn.....	B3-AL-163..	Memphis Commercial Appeal, Inc.....	Memphis Commercial Appeal Co.....	(⁷)	(⁷)	(⁷)	(⁷)	(⁷).....	None	Mar. 16, 1937
WMFR.....	High Point, N. C.....	B3-AL-134..	J. A. Hart and Wayne M. Nelson.....	Radio Station WMFR, Inc.....	7,399.71	(⁹)	4,227.98	524.86	6 months..	\$9,900.00	Jan. 5, 1937
WMIN.....	St. Paul, Minn.....	B4-AL-182..	Edward Hoffman, doing business as WMIN Broadcasting Co.....	WMIN Broadcasting Co.....	25,447.99	(⁷)	17,007.02	1,470.00	7 months..	\$10,000.00	Dec. 8, 1937
WSIX.....	Nashville, Tenn.....	B3-AL-137..	Jack M. Draughon and Louis R. Draughon, doing business as 638 Tire and Vulcanizing Co.....	WSIX, Inc.....	13,273.60	13,373.60	21,487.83	\$200.94	12 months..	\$21,487.83	June 8, 1937
WSJS.....	Winston-Salem, N. C.....	B3-AL-178..	Winston-Salem Journal Co.....	Piedmont Publishing Co.....	19,464.77	16,668.80	7,394.45	9,413.28	12 months..	20,500.00	July 30, 1937
WSPD.....	Toledo, Ohio.....	B2-AL-129..	Toledo Broadcasting Co.....	The Fort Industry Co.....	(⁹)	(⁹)	(⁹)	39,058.06	8 months..	None	Jan. 5, 1937

¹ Deficit.

² Consideration consists of stock of assignee corporation.

³ Consideration consists of: \$43,000 in cash and interest of partners in station assets, net worth of which amounts to \$26,222.92 in return for 600 shares of stock (100%) issued by assignee corporation.

⁴ Not furnished; assignor is parent company of assignee.

⁵ Consideration represents repayment to assignor of its investment in station.

⁶ Not furnished; case of involuntary transfer of control; no consideration involved.

⁷ Not furnished.

⁸ Consideration involves a transfer of all station assets to sole stockholder of licensee corporation.

⁹ Not furnished; no consideration involved; assignor is subsidiary of assignee company.

¹⁰ This transaction involves the assignment of a construction permit from the individual permittee to a corporation entirely owned by him. There were no station assets.

¹¹ Not furnished; no consideration is involved; lease of station expired July 31, 1937; reassignment made to lessor.

¹² Application for assignment of license (B3-AL-123) approved Oct. 27, 1936, contemplated the assignment of this permit.

¹³ Consideration paid in past due interest coupons or lawful bonds of the city of Clearwater which were purchased by assignee for cash consideration of \$50,820.

¹⁴ Action taken after formal hearing.

Applications for consent under sec. 310 of the Communications Act of 1934 to transfer control of licensee corporations, granted by Federal Communications Commission during period from Dec. 8, 1936, to Dec. 15, 1937, inclusive

Station	Location	File No.	Licensee corporation	Transferor	Transferee	Original cost, fixed assets	Replacement cost of fixed assets	Stock transferred (common)	Percent of total stock issued	Claimed value of stock transferred, including physical and intangible values
KFRO	Longview, Tex.	B3-TC-113	Voice of Longview	Rogers Lacy	James R. Curtis	\$13,062.19	\$13,062.19	5,000	50	\$2,519.23
KFYO	Lubbock, Tex.	B3-TC-70	Plains Radio Broadcasting Co.	Estate of Wilbur C. Hawk and Gene A. Howe	Globe-News Publishing Co., Inc.	(1)	(1)	498	99	(1)
KGNC	Amarillo, Tex.	B3-TC-70	do	do	do	(1)	(1)	498	99	(1)
KGKY	Scottsbluff, Nebr.	B4-TC-107	Hilliard Co., Inc.	A. W. Hilliard	L. L. Hilliard	7,825.99	9,857.71	42	21	1,575.92
KVI	Tacoma, Wash.	B3-TC-108	Puget Sound Broadcasting Co., Inc.	Edward M. Doernbecher (deceased)	Laura M. Doernbecher, executrix of the estate of Edward M. Doernbecher, deceased.	(2)	(2)	998	79	(2)
KMPC	Beverly Hills, Calif.	B5-TC-69	Beverly Hills Broadcasting Corporation	Pacific Southwest Discount Corporation	George A. Richards	44,572.27	48,225.00	1,000	100	37,459.15
KROC	Rochester, Minn.	B4-TC-85	Southern Minnesota Broadcasting Co.	Stockholders (4 in number)	Gregory Gentling	15,298.11	(1)	969	51	15,466.18
KSTP	St. Paul, Minn.	B4-TC-96	National Battery Broadcasting Co.	Lytton J. Shields (deceased)	Present stockholders (3 in number)	(2)	(2)	1,500	75	(2)
KXL	Portland, Oreg.	B5-TC-62	KXL Broadcasters	H. B. Read	T. W. Symons, Jr., and E. B. Craney	16,061.50	9,574.00	222	89	19,000.00
WAZL	Hazleton, Pa.	B2-TC-100	Hazleton Broadcasting Service, Inc.	Mason-Dixon Radio Group, Inc.	J. Hale Steinman and John F. Steinman	(1)	(1)	5,000	100	(1)
WBRC	Birmingham, Ala.	B3-TC-121	Birmingham Broadcasting Co., Inc.	Marcellus D. Smith, Jr. (deceased)	Eloise H. Smith, executrix of estate of Marcellus D. Smith, Jr., deceased.	(2)	(2)	11 1/2	52	(2)
WCOP	Boston, Mass.	B1-TC-84	Massachusetts Broadcasting Corporation	Joseph M. Kirby (deceased) by Mary A. Kirby, administratrix	Arde Bulova	52,877.05	51,385.05	3,000	60	3,200.00
WDEL	Wilmington, Del.	B1-TC-99	WDEL, Inc.	Mason Dixon Radio Group, Inc.	J. Hale Steinman and John F. Steinman	(1)	(1)	500	100	(1)
WEAU	Eau Claire, Wis.	B4-TC-110	Central Broadcasting Co.	Morgan Murphy	Elizabeth B. Murphy	(2)	(2)	60	40	(2)
WEST	Easton, Pa.	B2-TC-101	Associated Broadcasters, Inc.	Mason Dixon Radio Group, Inc.	J. Hale Steinman and John F. Steinman	(2)	(2)	5,000	100	(2)
WFIL	Philadelphia, Pa.	B2-TC-91	WFIL Broadcasting Co.	Lit Bros. Broadcasting System, Inc.	Lit Bros.	39,103.89	(1)	4,100	44.5	56,371.48
WFIL	do	B2-TC-93	do	WFI Broadcasting Co.	Strawbridge and Clothier	39,103.89	(1)	3,526	38.3	48,517.48
WGAL	Lancaster, Pa.	B2-TC-103	WGAL, Inc.	Mason Dixon Radio Group, Inc.	J. Hale Steinman and John F. Steinman	(1)	(1)	5,000	100	(1)
WGCM	Gulfport, Miss.	B3-TC-88	WGCM, Inc.	Sam Gates	P. K. Ewing	6,718.22	5,188.03	280	100	4,900.00
WILM	Wilmington, Del.	B1-TC-102	Delaware Broadcasting Co., Inc.	Mason Dixon Radio Group, Inc.	J. Hale Steinman and John F. Steinman	(1)	(1)	606	100	(1)
WIRE	Indianapolis, Ind.	B4-TC-78	Indianapolis Broadcasting, Inc.	Wm. E. Vogelback and Douglas E. Kendrick	Central Newspapers, Inc.	72,316.30	57,269.00	6,167	66 2/3	70,733.23
WJNO	West Palm Beach, Fla.	B3-TC-95	Hazlewood, Inc.	Stockholders (4 in number)	Jay O'Brien	14,682.38	23,415.06	51	51	10,031.87
WKOK	Sunbury, Pa.	B2-TC-111	Sunbury Broadcasting Corporation	The Sunbury Item, Inc.	George W. Beck, Basse A. Beck, and Harry H. Haddon	15,143.81	(1)	73	92	15,651.56
WLAK	Lakeland, Fla.	B3-TC-75	Lake Region Broadcasting Co.	E. L. Mack	J. P. Marchant	11,769.84	11,769.00	25	25	1,800.00
WMPS	Memphis, Tenn.	B3-TC-87	Memphis Broadcasting Co.	Memphis Commercial Appeal, Inc.	Memphis Commercial Appeal Co.	(1)	(1)	200	100	(1)
WORK	York, Pa.	B2-TC-104	York Broadcasting Co., Inc.	Mason Dixon Radio Group, Inc.	J. Hale Steinman and John F. Steinman	(1)	(1)	5,000	100	(1)
WPAR	Parkersburg, W. Va.	B2-TC-79	Ohio Valley Broadcasting Corporation	Harold McWhorter, Marion McDowell, and Wayne Von Gilder	The Exponent Co.	18,630.50	18,630.50	89	100	12,304.24
WPEN	Philadelphia, Pa.	B2-TC-72	William Penn Broadcasting Co.	Clarence H. Taubel	John Iraci	44,665.53	44,407.85	450	68	140,429.48
WRAX	do	B2-TC-73	WRAX Broadcasting Co.	do	do	(1)	(1)	60	60	(1)
WSVA	Harrisonburg, Va.	B2-TC-76	Shenandoah Valley Broadcasting Corporation	Marion K. Gilliam	Floyd Williams	(1)	(1)	20	8	(1)
WTMJ	Milwaukee, Wis.	B1-TC-82	The Journal Co.	Estate of Lucius W. Nieman	The Journal Co. and Faye McBeath	(1)	(1)	1,100	55	(1)

[See footnotes at end of table]

Applications for consent under sec. 310 of the Communications Act of 1934 to transfer control of licensee corporations, granted by Federal Communications Commission during period from Dec. 8, 1936, to Dec. 15, 1937, inclusive—Continued

Station	Location	File No.	Licensee corporation	Transferor	Transferee	Station earnings		Consideration paid	Date granted by Commission
						Net profit or loss	Period		
KFRO	Longview, Tex.	B3-TC-113	Voice of Longview	Rogers Lacy	James R. Curtis	\$2,234.80	6 months	\$3,500.00	Sept. 7, 1937
KFYO	Lubbock, Tex.	B3-TC-70	Plains Radio Broadcasting Co.	Estate of Wilbur C. Hawk and Gene A. Howe	Globe-News Publishing Co., Inc.	(1)	(1)	None	June 8, 1937
KGNC	Amarillo, Tex.	B3-TC-70	do.	do.	do.	(1)	(1)	None	Do.
KGGY	Scottsbluff, Nebr.	B4-TC-107	Hilliard Co., Inc.	A. W. Hilliard	L. L. Hilliard	2,594.61	12 months	2,100.00	Sept. 28, 1937
KVI	Tacoma, Wash.	B5-TC-108	Puget Sound Broadcasting Co., Inc.	Edward M. Doernbecher (deceased)	Laura M. Doernbecher, executrix of the estate of Edward M. Doernbecher, deceased.	(2)	(2)	None	Oct. 12, 1937
KMPC	Beverly Hills, Calif.	B5-TC-69	Beverly Hills Broadcasting Corporation	Pacific Southwest Discount Corporation	George A. Richards	1,708.13	6 months	125,000.00	May 4, 1937
KROC	Rochester, Minn.	B4-TC-85	Southern Minnesota Broadcasting Co.	Stockholders (4 in number)	Gregory Gentling	7,126.76	do.	15,466.85	Feb. 23, 1937
KSTP	St. Paul, Minn.	B4-TC-96	National Battery Broadcasting Co.	Lytton J. Shields (deceased)	Present stockholders (3 in number)	(2)	(2)	None	Apr. 16, 1937
KXL	Portland, Ore.	B5-TC-62	KXL Broadcasters	H. B. Read	T. W. Symons, Jr., and E. B. Craney	527.27	6 months	19,000.00	Mar. 9, 1937
WAZL	Hazleton, Pa.	B2-TC-100	Hazleton Broadcasting Service, Inc.	Mason-Dixon Radio Group, Inc.	J. Hale Steinman and John F. Steinman	(2)	(2)	None	July 6, 1937
WBRC	Birmingham, Ala.	B3-TC-121	Birmingham Broadcasting Co., Inc.	Marcellus D. Smith, Jr. (deceased)	Eloise H. Smith, executrix of estate of Marcellus D. Smith, Jr., deceased.	(2)	(2)	None	Oct. 5, 1937
WCOP	Boston, Mass.	B1-TC-84	Massachusetts Broadcasting Corporation	Joseph M. Kirby (deceased) by Mary A. Kirby, administratrix	Arde Bulova	\$1,613.64	5 months	4,200.00	Feb. 2, 1937
WDEL	Wilmington, Del.	B1-TC-99	WDEL, Inc.	Mason Dixon Radio Group, Inc.	J. Hale Steinman and John F. Steinman	(2)	(2)	None	July 6, 1937
WEAU	Eau Claire, Wis.	B4-TC-110	Central Broadcasting Co.	Morgan Murphy	Elizabeth B. Murphy	(2)	(2)	None	Oct. 5, 1937
WEST	Easton, Pa.	B2-TC-101	Associated Broadcasters, Inc.	Mason Dixon Radio Group, Inc.	J. Hale Steinman and John F. Steinman	(2)	(2)	None	July 6, 1937
WFIL	Philadelphia, Pa.	B2-TC-91	WFIL Broadcasting Co.	Lit Bros. Broadcasting System, Inc.	Lit Bros.	38,816.24	6 months	59,957.04	May 4, 1937
WFIL	do.	B2-TC-93	do.	WFI Broadcasting Co.	Strawbridge and Clothier	38,816.24	do.	None	Do.
WGAL	Lancaster, Pa.	B2-TC-103	WGAL, Inc.	Mason Dixon Radio Group, Inc.	J. Hale Steinman and John F. Steinman	(2)	(2)	None	July 6, 1937
WGCM	Gulfport, Miss.	B3-TC-88	WGCM, Inc.	Sam Gates	P. K. Ewing	\$711.44	6 months	3,500.00	Mar. 26, 1937
WILM	Wilmington, Del.	B1-TC-102	Delaware Broadcasting Co., Inc.	Mason Dixon Radio Group, Inc.	J. Hale Steinman and John F. Steinman	(2)	(2)	None	July 6, 1937
WIRE	Indianapolis, Ind.	B4-TC-78	Indianapolis Broadcasting, Inc.	Wm. E. Vogelback and Douglas E. Kendrick	Central Newspapers, Inc.	26,684.01	10 months	100,000.00	Dec. 19, 1937
WJNO	West Palm Beach, Fla.	B3-TC-95	Hazlewood, Inc.	Stockholders (4 in number)	Jay O'Brien	5,670.33	7 months	18,360.00	June 29, 1937
WKOK	Sunbury, Pa.	B2-TC-111	Sunbury Broadcasting Corporation	The Sunbury Item, Inc.	George W. Beck, Basse A. Beck, and Harry H. Haddon	(2)	(2)	7,300.00	Sept. 7, 1937
WLAK	Lakeland, Fla.	B3-TC-75	Lake Region Broadcasting Co.	E. L. Mack	J. P. Marchant	\$2,011.60	6 months	2,500.00	Mar. 26, 1937
WMPS	Memphis, Tenn.	B3-TC-87	Memphis Broadcasting Co.	Memphis Commercial Appeal, Inc.	Memphis Commercial Appeal Co.	(2)	(2)	None	Mar. 16, 1937
WORK	York, Pa.	B2-TC-104	York Broadcasting Co., Inc.	Mason Dixon Radio Group, Inc.	J. Hale Steinman and John F. Steinman	(2)	(2)	None	July 6, 1937
WPAR	Parkersburg, W. Va.	B2-TC-79	Ohio Valley Broadcasting Corporation	Harold McWhorter, Marion McDowell, and Wayne Von Gilder	The Exponent Co.	5,285.07	6 months	18,600.00	Feb. 6, 1937
WPEN	Philadelphia, Pa.	B2-TC-72	William Penn Broadcasting Co.	Clarence H. Taubel	John Israel	16,483.50	do.	\$3,500.00	Sept. 21, 1937
WRAX	do.	B2-TC-73	WRAX Broadcasting Co.	do.	do.				
WSVA	Harrisonburg, Va.	B2-TC-76	Shenandoah Valley Broadcasting Corporation	Marion K. Gilliam	Floyd Williams	(2)	(2)	None	Dec. 15, 1936
WTMJ	Milwaukee, Wis.	B1-TC-82	The Journal Co.	Estate of Lucius W. Nieman	The Journal Co. and Faye McBeath	(2)	(2)	(2)	Dec. 28, 1936

¹ Not furnished since no consideration involved; application was for transfer of legal title to stock, transferee being equitable owner of stock transferred.

² Not furnished since no consideration involved; an involuntary transfer of control.

³ Action taken after formal hearing.

⁴ Not furnished.

⁵ Not furnished since no consideration involved.

⁶ Deficit.

⁷ The Journal Co., which is engaged in the newspaper business, has gross assets of over \$5,000,000, of which radio assets are less than \$50,000 (balance sheet, Journal Co., year 1935). This sale of 1,100 shares for \$3,500 per share was approved by county court for Milwaukee County by order dated Dec. 18, 1936.

Again, in these new tables you will find what appears to be instance after instance of transfers for a consideration far in excess of replacement cost. In the hearings in this connection you will also find reference to a transfer in the form of a lease providing for—and I quote—"indefinite continuation."

Mr. Chairman, I call upon the Commission, as I did a year ago, to justify the policy reflected in these tables if it can do so.

Year after year the Communications Commission comes before the Committee on Appropriations of this House. Year after year it indicates that important questions of policy are under consideration. Year after year there have been discussed such matters as the proper policy in respect to experimental licenses, the proper policy in respect to newspaper ownership of radio stations, to which the gentleman from New York [Mr. Sirovich] has just referred, the proper policy in respect to a charge in the form of license fee or otherwise which might fairly be imposed on the holders of Federal licenses, licenses obtained without the payment of a single cent, licenses enabling the holders to command an annual income amounting to well over \$100,000,000. No progress appears to have been made in a solution of these and other important matters of policy by the Commission.

Under leave to extend I insert at this point and in this connection a few quotations from the hearings last month before your subcommittee:

FEDERAL COMMUNICATIONS COMMISSION—CRAVEN ANSWERS CONCERNING INVESTIGATION

Page 1233:

Mr. HOUSTON. How do you determine whether a station which makes an application is essential in a community?

Mr. CRAVEN. I think that we will have to decide on a more definite policy with respect to that determination. It is my expectation that the Commission will study this in a very short time, leading to a better policy than we have had heretofore with respect to broadcasting.

Mr. DIRKSEN. Do you still seek to maintain, shall I say, an equitable relationship between the various zones into which the country is divided?

Mr. CRAVEN. It is my feeling that the entire broadcasting situation in the country will have to be thoroughly studied from the standpoint of the distribution of facilities, and also with respect to the economic phases of broadcasting which have not been hitherto thoroughly understood, and I feel that the Commission in the course of time will undertake such a study and be ready to report to Congress the results of it.

Page 1254:

Mr. DIRKSEN. When an application is made for a license, what do you require of a prospective broadcasting station by way of a statement of the personnel and of the interested parties?

Mr. CRAVEN. I think that at the present time we have discovered that our application blanks are not as complete as they should be, and we are in the process of getting out some blanks so that we can get some more positive information at the beginning.

Page 1236:

Mr. HOUSTON. May I ask you about your examiner positions? Are they pretty well up on this work?

Mr. CRAVEN. I think that the Commission at this time is absolutely snowed under in contemplation of the development of new policies.

Page 1239:

Mr. WIGGLESWORTH. We are still making no charge for any licenses for frequencies that the Commission approves, are we?

Mr. CRAVEN. That is true, and I think that that is a very basic matter of policy which the Congress should study, if it wants to change it.

Page 1241:

Mr. WIGGLESWORTH. The Commission itself is not in a position to make any recommendation in the matter of possible contributions by the broadcasting industry to the Federal revenues for the licenses which it receives?

Mr. CRAVEN. I thought that we had been asked to make one. I do not know whether or not. But my personal opinion is that Congress needs to study that very carefully, in the light of a proper communications policy.

Page 1241:

Mr. WIGGLESWORTH. It was stated on the floor that either the National Broadcasting Co. or the Columbia, I forget which, had paid something like \$8,000,000 of cash dividends on an original investment of something like \$1,500,000. Do you know whether that is a fair statement or not?

Mr. CRAVEN. I would not think that that is a fair statement, but I do know this, that it is necessary for this Commission, if it

is going to regulate radio in the future, to study the economics of broadcasting. I have just been informed that we have no information as to dividends paid by licensees.

Page 1244:

Mr. WIGGLESWORTH. Now, what is the policy of the Commission at the present time in considering transfers in respect to allowing anything for good will or going concern, or whatever you want to call it?

Mr. CRAVEN. There has been no public statement as to a change in policy. I myself am tremendously anxious to have the other members of the Commission consider the matter from a public standpoint.

Page 1252:

Mr. WIGGLESWORTH. In a letter addressed to me on June 10, 1937, Mr. Ring, assistant chief engineer, states: "The Commission has no rules prohibiting stations from making commercial use of the time or power which they may be granted by an experimental authorization. In several cases it has appeared to this department that the experiments proposed to be carried forward were not bona fide." He also said that instructions have been asked from the broadcasting division on drafting a rule governing commercial operation under experimental grants, but that the engineering department has never recommended such a rule.

Mr. CRAVEN. I cannot make any statement as far as the Commission as a whole is concerned, but I have in mind requesting the other members of the Commission to adopt an entirely new policy with respect to experimental licenses.

Mr. WIGGLESWORTH. Is there any justification for the power (500,000 watts) in that particular station to which you are undoubtedly referring, WLW?

Mr. CRAVEN. I think that we have learned a whole lot and will learn much more in respect to having a station with that power. I think that we may have learned enough from it to know what to do.

Mr. WOODRUM. And what not to do.

Mr. CRAVEN. And what not to do.

Mr. WIGGLESWORTH. The Commission has taken no action in that respect?

Mr. CRAVEN. No; it has not granted it permanently, but I have a feeling that there will be a time coming when the whole subject will come up before the Commission.

Page 1253:

Mr. WIGGLESWORTH. Have you any views on the desirability or undesirability of increasing newspaper ownership of frequencies?

Mr. CRAVEN. That is another question that I think is very basic and involves a constitutional question, and I think that Congress will be the ultimate factor in the determination of that.

Mr. WIGGLESWORTH. It (the Commission) is not in a position to make any recommendation?

Mr. CRAVEN. Not at this time, but I think that we may have some data later on in that matter.

In passing, Mr. Chairman, I may mention the matter of program complaints, because it appears from the record that no less than 1,140 separate communications concerning complaints against the program service of radio stations have been received by the Commission since January 1, 1937. It is stated that a large number of individual complaints in all forms have been received by the Commission concerning the programs of broadcasting stations of which no record has been kept. Just what action has been taken does not appear. It is stated, however, that no licenses have been revoked and no renewal applications have been refused as a result of any of these complaints.

I call the attention of the Members of the House to the matter of charges against certain attorneys practicing before the Federal Communications Commission. The Commission recently found that the conduct of one attorney in preparing or causing to be prepared and causing to be sworn to and filed the applications of so-called dummy corporations, and his subsequent conduct relating thereto deceived and misled the Commission in its consideration of the applications. That attorney was suspended from practicing before the Commission for a period of 2 months, the Christmas holidays included. It is understood that the Commission found that another attorney in the same proceedings had been guilty of tampering with official records of the Commission by the interpolation of certain signed and notarized depositions into the files of the Commission. That attorney was reprimanded, the employee collaborating being transferred to another position in the Commission.

In answering the charges made in this connection it appears that one of the attorneys alleged that all acts and conduct, and I quote, "were in conformity with a prevalent and sanctioned practice before the Commission." The

record indicates that no investigation has been made by the Commission in the light of this assertion. It indicates further that no mention of the matter was made to the bar of the District of Columbia. It is understood that the reprimand referred to was withheld from publication entirely for a considerable time by decision of the Commission. It seems to me, Mr. Chairman, that action of this character on the part of the Commission is hardly calculated to allay the criticism to which it has been subject in recent years.

Mr. CULKIN. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. CULKIN. People interested in this question were much encouraged, I think, by the transfer of Mr. McNinch from the Power Commission to the Communications Commission. Can the gentleman tell us whether or not his service there has been effective?

Mr. WIGGLESWORTH. I may say to the gentleman from New York that I have known Mr. McNinch for a number of years as Chairman of the Federal Power Commission. I have a high regard for his ability. I think that if he has been able to accomplish results they are not apparent in the testimony given on behalf of the Commission before the subcommittee in charge of the bill. It is fair to say, however, that he has not held his present position very long.

Mr. CULKIN. Just one further question, if the gentleman will permit. Has an investigation of the Commission been ordered by the Senate? I remember that Senator WHITE introduced some such resolution.

Mr. WIGGLESWORTH. Senator WHITE introduced a very comprehensive resolution looking to an investigation of the entire radio broadcasting field and its major problems. It was reported favorably by the Senate Committee on Interstate Commerce, I believe. What action is likely at this time under that resolution, in view of the fact that its author has been drafted for foreign service at the international conference on radio in Cairo next month, I am not in position to state.

The CHAIRMAN. The Chair notifies the gentleman from Massachusetts that he has consumed 15 minutes.

Mr. WIGGLESWORTH. I yield myself 5 additional minutes, Mr. Chairman.

Before concluding these observations I want to call particular attention to section 4 (b) of the Federal Communications Act of 1937, which provides that—

No member of the Commission or person in its employ shall be financially interested in the manufacture or sale of radio apparatus or of apparatus for wire or radio communication; in communication by wire or radio or in radio transmission of energy; in any company furnishing services or such apparatus to any company engaged in communication by wire or radio or to any company manufacturing or selling apparatus used for communication by wire or radio; or in any company owning stocks, bonds, or other securities of any such company; nor be in the employ of or hold any official relation to any person subject to any of the provisions of this act, nor own stock, bonds, or other securities of any corporation subject to any of the provisions of this act. Such Commissioners shall not engage in any other business, vocation, or employment.

The section provides, in substance, that no member of the Commission or person in its employ shall be financially interested in any way in any company subject to the provisions of the Federal Communications Act. I submit, Mr. Chairman, that the testimony embodied in the hearings before your subcommittee and papers furnished in this connection indicate clearly that one of the present members of the Federal Communications Commission has failed in the past to comply with the clear intent, if not the actual letter, of that section of the act. The record indicates that when he assumed a high position in the employ of the Commission in 1935 he owned stock in several radio stations subject to the jurisdiction of the Commission, in one of which he had served as an executive. It further indicates that during a period of about a year and a half, while he was in the employ of the Commission, he received payments from these broadcasting stations amounting to about \$25,000, the last payment being received on July 26, 1937, about a month before he was promoted to be a member of the Commission itself. The payments received represented the purchase price of the stock referred to,

which was allegedly reassigned to the companies at the time he entered the employ of the Commission. They were made to one who had acted as his attorney, to whom his rights under contracts of repayment had been assigned. The attorney, it is understood, received the payments under a declaration of trust in his favor. The payments in large measure were made in cash and were placed in a tin deposit box.

The member in question takes the position that he did all he could to divest himself of his interest in the companies, and that he disqualified himself in respect to matters in which those companies were interested.

It appears to be a fact, however, that the payments were received in the manner and at the time indicated. It is also a fact that an official report by one of the Commission's examiners, now stated to have been in error, indicates that a part of the stock said to have been reassigned to the companies was in fact outstanding as late as June 8, 1937. It appears further to be the fact, Mr. Chairman, that applications for increase in power and for transfer of control of the broadcasting stations in question were under negotiation or before the Commission during a large part of the period referred to, that a hearing on these applications was held in May of 1937, and that a decision favorable to the companies was reached by the Commission in September 1937.

Mr. SIROVICH. Mr. Chairman, will the gentleman yield for a question?

Mr. WIGGLESWORTH. I yield very briefly.

Mr. SIROVICH. Does the gentleman believe that the present radio monopoly about which he is talking has a vested right or a vested interest in the air today, although we license them for only 6 months?

Mr. WIGGLESWORTH. I do not think they are entitled to anything in the nature of a vested right. I am bound to confess, however, that under present practice there appear to be instances which come very near to what might be described as a vested right.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield for a question?

Mr. WIGGLESWORTH. Briefly.

Mr. REES of Kansas. The gentleman has made some rather strong statements as to apparent violations of the law. What, if anything, are we going to do here and now, in the way of resolutions or otherwise, to cure this situation? What should we do about it?

Mr. WIGGLESWORTH. There is a resolution pending before the Rules Committee, introduced by our beloved colleague, the late Congressman from Massachusetts, Mr. Connery, that has been pending for a very considerable period of time. I have not abandoned hope that the Rules Committee will see fit to report that resolution of investigation.

Mr. McFARLANE. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. McFARLANE. I desire to compliment the gentleman for the splendid work that he is doing on this matter and for his fine presentation of the facts in regard to the matters that he has just discussed. I am in hearty accord with him. I know from investigations that I have made of this subject that he is eminently correct in his statements, and it is just that much more reason why the Rules Committee should speedily report out the resolution of investigation. As the gentleman knows, I have a resolution pending to investigate this deplorable situation; in fact, the confirming authorities had the information that the gentleman has given in substance before this gentleman was appointed to the Federal Communications Commission.

Mr. WIGGLESWORTH. I thank the gentleman. I may say that at the time of the appointment in question, as the gentleman will recall, I introduced in the House a resolution designed among other things to ascertain information which now appears to be available.

Mr. McFARLANE. That is correct. It is unfortunate complete information was not made available at the time.

Mr. WIGGLESWORTH. Mr. Chairman, I may say in conclusion that the Members will find the particular testi-

many bearing on this question at pages 1259 to 1264, and more particularly at pages 1266 to 1273 of the hearings on the bill under consideration. The matter, in my judgment, affords further and striking evidence of laxity in the administration of the Federal Communications Act.

As I understand it, there has been no real investigation or study in this field for some 10 or 12 years. If we are going to have proper regulation and efficient regulation in this tremendously important field in American life, it seems to me that a thoroughgoing investigation of the entire subject is imperative.

Mr. FITZPATRICK. Mr. Chairman, I yield 7 minutes to the gentleman from Virginia [Mr. WOODRUM].

Mr. WOODRUM. Mr. Chairman, I desire to make a brief comment on the remarks of the gentleman from Massachusetts relative to the Communications Commission. I think everyone knows that for some time there has been a situation in the Communications Commission that called for a very close study, or perhaps investigation, or analysis—I like that word a little better than “investigation” when you are dealing with matters of this kind. The President, recognizing this fact, named as Chairman of the Commission a gentleman that I think every Member of the Congress who has come in contact with him holds in high esteem and perfect confidence—Mr. McNinch, formerly Chairman of the Federal Power Commission.

I believe it is only fair to give Mr. McNinch the opportunity to do the job that the President turned over to him, and I hope the Congress will permit that. I do not mean any white-washing proposition or to put it to sleep, but the opportunity should be given him to clean up the Federal Communications Commission, if it needs to be cleaned up, and to correct these abuses that have been called to our attention.

With particular reference to the appointment of Commander Craven to the Communications Commission, may I say I do not know Commander Craven so very well personally. I knew him as a consulting radio engineer in Washington in the days of the old Radio Commission, and I think he is perhaps one of the outstanding authorities not only in America but in the world on the communication-by-air proposition. At the recent meeting of the South American countries seeking ways and means to settle our differences with those countries in the broadcasting field Commander Craven took the lead and will shortly be able to present to Congress and to the administration a suggested program that will relieve our difficulties.

The particular matters to which my friend from Massachusetts alludes have been thoroughly gone into. When Commander Craven was nominated as a member of the Federal Communications Commission these particular and specific instances to which the gentleman refers were gone into by a senatorial committee which investigated his nomination. The distinguished Senator from Maine, a minority member, and a man who is himself an authority on the subject, having served so long in the House on the Merchant Marine and Radio Committee, has taken an especial interest in this matter over there. He was a member of the senatorial committee that went into these matters very carefully. That committee examined Commander Craven at length; it examined his papers and his record; and you will find in the CONGRESSIONAL RECORD of August 1937 the debate on the floor of the Senate in which these very matters were brought out, discussed, and thoroughly considered before the Senate proceeded to formally confirm Commander Craven as a member of the Communications Commission.

Mr. JOHNSON of Oklahoma. Will the gentleman yield?

Mr. WOODRUM. I yield to the gentleman from Oklahoma.

Mr. JOHNSON of Oklahoma. Is it not also true that Commander Craven testified before our committee that he was receiving more than three times the salary in private employment that he now receives?

Mr. WOODRUM. I do not think there is any doubt about that.

I may say that in the new field of radio when you undertake to draw to the Government service men of such wide,

comprehensive, and technical knowledge and experience, you cannot pull them out of the air. You cannot bring into the Government service a man who has had that vast experience unless, before coming to the Government service, he has had private business contacts. That is the only way in which the Government would have the opportunity to secure a man of that knowledge and experience. I know Commander Craven very pleasantly, and I believe he is a man of considerable attainments. It seems to me it is a little bit unfair, and I know my friend from Massachusetts is the last man in the world to be unfair, and it is unfortunate, after these matters have been brought up and considered many times, to continue to bring them up.

I suggest that the Members of the House who may be interested turn to the hearings held on the independent offices appropriation bill, page 1274, and before and after, wherein they will find that Commander Craven was questioned at great length and in detail, and I would also suggest that the Members read the debate in the Senate August 21, 1937, at pages 12299-12303.

Mr. SIROVICH. Will the gentleman yield?

Mr. WOODRUM. I yield to the gentleman from New York.

Mr. SIROVICH. Does the chairman of the Subcommittee on Appropriations having to do with the independent offices appropriation bill believe it is to the best welfare of the Nation for one group to own 5, 10, 15, or 20 radio stations, and was that our intention when we passed the Davis amendment in 1927?

Mr. WOODRUM. We are dealing at this time with the question of adequacy of appropriations to do the job that is carried in the organic act. When we come to the question of broad national policy that is another matter.

Mr. SIROVICH. I would like the gentleman's viewpoint.

Mr. WOODRUM. I do not have a viewpoint to give the gentleman, because it is a wide question and I would not know how to answer it now. It is tied up with many “ifs” and “ands.” As the distinguished gentleman from Missouri reminds me, that is a legislative matter. I do not wish to sidestep the gentleman's question.

Mr. SIROVICH. In other words, we cannot legislate in an appropriation bill?

Mr. WOODRUM. Sometimes we cannot—not unless we want to.

Mr. MEAD. Will the gentleman yield?

Mr. WOODRUM. I yield to the gentleman from New York.

Mr. MEAD. I think we are all in sympathy with the objective outlined by the gentleman from Massachusetts, but we are also in agreement with the suggestion of the chairman of the Subcommittee on Appropriations. This man who was recently appointed, and in whom we have explicit faith, will do a good job if we allow him the opportunity.

Mr. WOODRUM. I think so. I think the gentleman in question is fully qualified.

[Here the gavel fell.]

Mr. FITZPATRICK. Mr. Chairman, I yield 15 minutes to the gentleman from Oklahoma [Mr. JOHNSON].

Mr. JOHNSON of Oklahoma. Mr. Chairman, we have heard considerable discussion today about economy, and we will no doubt hear more about economy before this session is over. May I say at the outset that the distinguished chairman of our subcommittee, the gentleman from Virginia [Mr. WOODRUM], is a consistent and sincere advocate and supporter of economy. In most part I have followed the distinguished gentleman from Virginia. I desire sincerely to compliment the gentleman from Virginia on the fight he has made for economy, not only in this bill but for years past. To be perfectly frank about it, as a member of the independent offices subcommittee I went far beyond the gentleman from Virginia in suggesting further economies in government. I made several motions to cut further the appropriations in the pending independent offices bill below the Budget estimates. Although generally I have agreed with

and have followed the gentleman from Virginia, I find myself unable to do so in all instances. I know some will criticize this bill, and frankly I feel that it is open to criticism in some respects. The bill calls for the appropriation of a tremendous amount of money. However, as has been and will further be brought out as this discussion continues, a number of new activities have been brought under the independent offices bill.

I am going to direct my remarks to one item which will not be in keeping with the ideas of economy of my distinguished friend, the gentleman from Virginia. It is popular at this time to discuss and advocate economy and apply it to anything that you want to get rid of. I realize full well that it is unpopular to suggest raising the Budget estimate right now unless you want to build a battleship or two. So at the risk of being called a Treasury raider I want to discuss for a few minutes the alarming situation with reference to the Civilian Conservation Corps.

If you will turn to the report and to the bill, you will find the pending bill proposes to cut the appropriation next year for the Civilian Conservation Corps 35 percent. Although other departments of the Government are actually increased, the C. C. C. camps are cut more than \$124,000,000 under the appropriation of last year. I am not one of those who feel some economies cannot be effected in the Civilian Conservation Corps. I was perfectly willing and suggested in the committee that the Civilian Conservation Corps take its pro rata cut along with the other departments of the Government. That seemed to be a fair proposal.

It was brought out at the hearings that at the present time, for example, captains are being used to a large extent as camp commanders, and that by using first lieutenants or second lieutenants in such positions perhaps two or three million dollars could be saved. While it is generally conceded an inexperienced lieutenant cannot possibly render the same type of service in handling these boys as an experienced officer, I was perfectly willing to go along with this proposed economy in order to do my part in helping to save every dollar possible.

Several other suggestions were made, and I agree such economies should be made. Probably in most instances the efficiency of the Civilian Conservation Corps would be impaired thereby, but in the fight for economy I was willing to go along with the suggestions. However, I cannot and will not go along with an attempt at one fell swoop to gut this bill and start on a planned program of eliminating the Civilian Conservation Corps. I warn you now that this bill, if permitted to go unchallenged with such an unreasonable cut, will mark the beginning of the end of the C. C. C. camps and the great worth-while program of the civilian conservation camps in the United States.

Mr. MASON. Mr. Chairman, will the gentleman yield for a question?

Mr. JOHNSON of Oklahoma. I am pleased to yield to the gentleman from Illinois.

Mr. MASON. Is not this cut of \$124,000,000 in the C. C. C. appropriation the outstanding cut in the independent offices bill?

Mr. JOHNSON of Oklahoma. Oh, yes; it is not only the outstanding cut but substantially all of it.

Mr. MASON. Will the gentleman agree with me that the C. C. C. is the one activity of the Government that receives approbation from the people of the country on all sides, yet it is the one selected for this drastic cut?

Mr. JOHNSON of Oklahoma. The gentleman has expressed it much more aptly than I possibly could, and has stated what I was trying to say, that the C. C. C. camps have been selected or ferreted out to take the bulk of the cut, while other activities much less important are to receive little, if any, reductions, and while some are actually increased.

The C. C. C. camps, one activity of the New Deal the people approve in all sections, are being kicked out bag and baggage, with more than a 30-percent cut in this bill.

It has been said that 300 additional camps are to be eliminated by July 1. When Mr. Fechner, who has done a mighty

good job, appeared before our committee he was a good soldier and said what he was expected to say, in most part. And yet, he did not hesitate to tell the committee that none of the 300 camps could finish their projects by next July. The fact is that the slashing of 600 camps within the past few months has all but demoralized the entire C. C. C. program. If this appropriation is allowed to stand it will complete the job of demoralizing the camps and that great program, and I again make the statement it marks the beginning of the end of the C. C. C. camps in the United States. Without quoting anyone connected with the C. C. C. camps, the committee got sufficient off-the-record evidence to justify every statement I make here today.

Mr. WOODRUM. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. Yes; I thought I would get a rise out of the gentleman.

Mr. WOODRUM. The gentleman is introducing a lot of illegal evidence here. He is trying to prejudice my jury against me by introducing illegal evidence.

Mr. JOHNSON of Oklahoma. Whether the gentleman calls it illegal or not, the gentleman heard the evidence and was so impressed with it that the gentleman from Virginia suggested a compromise.

Mr. WOODRUM. Does not the gentleman believe we are bound by what appears in the printed hearings, not by what some bureau official may tell a Member of Congress?

Mr. JOHNSON of Oklahoma. I am perfectly willing to stand by the record. I can read into this record sufficient evidence to show that, if this bill is allowed to stand as it is, it will absolutely demoralize the C. C. C. camps. It would reduce the amount allowed for the meals of C. C. C. boys more than a million dollars next year. This is outrageous. Some of the departments were able to get millions of dollars of increased appropriations in order to give more jobs to more people, yet in the name of economy you propose to reduce substantially the meals given the C. C. C. boys.

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Illinois.

Mr. DIRKSEN. Did not Major Fechner also testify the ration for the C. C. C. camps will still be 1 cent per day above the Army rations?

Mr. JOHNSON of Oklahoma. Yes; but he also pointed out that the C. C. C. boys are young and vigorous, and they are working. They eat more than the Army boys do. Also, the camps are in isolated districts and trucks must be used to transport the supplies. The cost is considerably more, so I am advised, than 1 cent above the cost of the Army rations, because this food must be taken 20, 30, or 50 miles out into the country. You propose, sir, in the name of economy, to take this saving out of what the boys eat. It is not only false economy but unreasonable and a bad precedent. I cannot believe the Congress will stand for it.

Mr. THOMAS of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from New Jersey.

Mr. THOMAS of New Jersey. The gentleman has been making a very interesting statement, and I agree with him to a large extent.

Mr. JOHNSON of Oklahoma. I thank the gentleman.

Mr. THOMAS of New Jersey. In going over this report I find most of the items show an increase over the last bill.

Mr. JOHNSON of Oklahoma. The gentleman is correct.

Mr. THOMAS of New Jersey. I notice if it had not been for the deduction from the C. C. C. appropriation the bill would probably show an increase of somewhere around \$80,000,000.

If we took 10 percent off of every one of the items in the bill and only took 10 percent off of the C. C. C. appropriation, we still would have a larger reduction than we have at the present time in taking \$124,000,000 off of the C. C. C. items.

Mr. JOHNSON of Oklahoma. The gentleman is correct. I suggest at the outset that I would not object to the C. C. C. taking its pro rata cut. But to cut the Civilian Conservation

Corps 30 to 35 percent and actually increase other governmental activities is to my mind not only unfair but absurd. I stand ready to reduce all governmental department functions and set-ups 10 percent or more. Economies can and must be effected in every department of government. We have too many overlapping bureaus of government; we have been hoping and praying for a reorganization bill that would correct a very embarrassing situation. The members of the committee know that for years and years the suggestion of having experts to go into the various departments to make investigations and suggest economies has been discussed. But that is as far as we seem to get. As one who has made considerable study of government, its many departments, and functions, I say to this body deliberately that, if each subcommittee of the Appropriations Committee were given an expert to go into each one of the departments and make proper investigations, Congress could undoubtedly save millions of dollars annually and improve the efficiency of government. But this is a mere gesture. It will not solve or even attempt to solve the problem with which we are faced. We cannot balance the Federal Budget by turning needy boys out of 300 Civilian Conservation camps.

Mr. PIERCE. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Oregon.

Mr. PIERCE. Was it brought out fully to those who recommended this cut that five-sixths of this money goes back for relief?

Mr. JOHNSON of Oklahoma. Oh, yes; the committee had that information. I am pleased that the gentleman has raised that point. So that there will be no misunderstanding, your vote in this instance is a vote to throw these deserving but needy young men out of these camps and back on relief. When 50,000, 60,000, or perhaps 75,000 boys are turned out of these camps, where they are permitted to earn an honest living and learn something worth while, do not think for a minute that they will not resent it. They will watch your vote on this, as well as appropriations later, for battleships and other useless expenditures. Their parents, friends, and relatives will call for an explanation. Each enrollee, as you know, sends \$25 a month home, and this keeps some family off of relief. These families will be back on relief and these boys will be riding on top of box cars and hitchhiking over the country looking for jobs they cannot find, as they were in those dark days of 1930, 1931, 1932, and 1933. So do not labor under the delusion that any great saving is actually to be made. These fine young men will eat somehow, somehow. Crime will increase and so will the relief rolls. Let us not deceive ourselves.

Again, there is a growing demand on the part of the needy youth of America for work in the C. C. C. camps. A representative of the Labor Department appeared before our committee and told us that last September there were more than 30,000 boys in need who applied for places in these camps who were denied places because this Congress foolishly agreed to abandon several hundred camps. These 30,000 boys all qualified in every particular. Their "budgets" needed to be balanced. Every one of them was either on relief or on the border line. Some of them were too proud to go on relief. Thirty thousand applications, remember, were received that could not be taken care of, and these boys are wandering around now looking for jobs they cannot find.

The Labor Department also told us that at that time there were more than 135,000 boys between the ages of 17 and 23 who had applied for these places, and by January 1 it was estimated the number would be at least 140,000.

I saw in the paper this week that over in Boston the boys fought for an opportunity to apply for these places in the Civilian Conservation Corps, but were turned away.

I take the position that as long as there are needy young men who want to go to these camps, and as long as work is urgently needed to be done, these camps should not be ruthlessly abandoned right in the midst of a project in the name of some catchword like economy. I repeat that such a policy is false economy. [Applause.]

The gentleman from Virginia has quoted the record. I would like for you gentlemen to read the record. You will find that of the 300 camps and more that you are going to abandon, every one of them will be in the midst of a project. The record will bear out the statement that not one of them can finish its project by July next. We have \$25,000 invested just in the setting up of each one of these camps. The camps run from 6 months to a year and a half and before the project is finished, like a clap of thunder from a clear sky, it is abandoned. There are instances where the sudden order to abandon the camp has left a dam half finished or several ponds of water that have been drained but could not be finished because, in the name of economy, we are told this whole program must be gradually strangled to death at the expense of human suffering.

Mr. SIROVICH. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I will be pleased to yield to the distinguished gentleman from New York.

Mr. SIROVICH. How much money will be saved for the Government of the United States on this economy bill at the expense of human misery of these boys the gentleman is talking about?

Mr. JOHNSON of Oklahoma. I will say to the gentleman that there will not be anything saved. It will have to be spent somewhere else.

[Here the gavel fell.]

Mr. FITZPATRICK. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. STEFAN. Mr. Chairman, will the gentleman yield to me?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Nebraska.

Mr. STEFAN. On the question of how much will be saved, this \$125,000,000 Congress is taking away from the C. C. C., plus the \$220,000,000 from roads, will be applied to the big Navy fund of \$600,000,000.

Mr. JOHNSON of Oklahoma. The gentleman has hit the nail on the head. That is the milk in the coconut. What is proposed to be done with this money? Let us talk frankly and straight from the shoulder and tell the truth about it. Why all this sudden desire to abandon the C. C. C. camps in the name of economy? Very soon we will be called upon to build at least two additional battleships. The last two the last Congress authorized will, if and when finished, 4 or 5 years hence, cost \$60,000,000 each. One hundred and twenty-four million dollars will build two such battleships. Have we the unmitigated gall to say that in order to build battleships that all of us know are never used in actual warfare it is necessary to turn 75,000 boys out of the C. C. C. camps? Is that the program? Let us be plain and frank about the matter. I do not hesitate to say that in my judgment that is what is in the making. That is what it is proposed. I am in favor of taking care of the C. C. C. boys, balancing their budget, and I venture the suggestion that so long as we maintain the morale of the youth of America that no Nation is going to start trouble with the United States. The only thing we have to worry about is troubles within our own borders. [Applause.]

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. Yes.

Mr. RANDOLPH. I have followed the gentleman's argument with interest. I believe as the gentleman believes. Aside from this matter of defense and the building of these two battleships, at a cost of \$60,000,000 each, will the gentleman tell us in his opinion whether he believes in national defense or is against it, and whether it is a waste of money to spend such sums on battleships? Would it not rather be spent in the air?

Mr. JOHNSON of Oklahoma. I thank the gentleman for his contribution. I am a strong believer in reasonable national defense. I am not a believer in warfare except for defense. I do not favor our meddling in or even patrolling foreign waters where we have no business. Let Americans who invest money in foreign countries do so at their own risk. Those briefly are my ideas. Now about battleships;

there is no use of our kidding ourselves or the country. Every informed person knows that battleships are obsolete, that they are built for show and bluff, that they are vulnerable, slow, and easy to hit, that it takes 5 years to build one of them, and then it is out of date and many times useless. Then within a few years it is abandoned or they take it out into the middle of the ocean and it is sunk in the name of peace. A few weeks ago I went down to Old Point Comfort, Va., and I saw an airplane carrier there with 110 bombers on it. I went all over it and through it, and I was told by a responsible authority that one airplane carrier, which carries 110 to 120 great bombers, could destroy the United States Navy in 24 hours if they could get it together or anywhere nearly together, and that they could fly to Washington and destroy the city in less time than it takes to tell it. I would favor additional airplane carriers, additional bombers, and additional coast defense, and additional air bases if necessary. I favor small, fast cruisers if they are needed for national defense, but it is absolutely foolish, silly, absurd, and sending bad money after worse to take \$120,000,000 from the C. C. C. boys to build two clumsy battleships. Now, think that over and answer that tomorrow, Mr. Chairman.

Mr. LUCAS. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. Yes.

Mr. LUCAS. Am I correct in understanding that under this program some 300 camps will be abandoned?

Mr. JOHNSON of Oklahoma. There will, in fact, be considerably more than 300 camps abandoned if this program is carried out.

Mr. LUCAS. How many camps are there in the country?

Mr. JOHNSON of Oklahoma. At this time there is supposed to be left about 1,500 camps. Up until a few days ago there were 1,604 camps.

Mr. LUCAS. Where is the authority centered by virtue of which these camps are to be abandoned? Is that discretionary?

Mr. JOHNSON of Oklahoma. The Director of the Civilian Conservation Corps has such authority. It is discretionary with the Director, but he will, of course, depend on each sponsoring agency for his information. For instance, he would ask the Soil Conservation Service what camps could be abandoned with the least injury to the Service, and also the same from the Park Service, and so on.

The CHAIRMAN. The time of the gentleman from Oklahoma has again expired.

Mr. FITZPATRICK. Mr. Chairman, I yield the gentleman 3 minutes more.

Mr. LUCAS. In other words, if this program should go through and there are camps to be abandoned, the hearings show that those camps will be abandoned where they are least necessary throughout the country.

Mr. JOHNSON of Oklahoma. Yes; that is true. It is a sad fact, however, that our committee was very definitely advised that not a single one of these 300 camps would have finished its project by next July.

Mr. MASSINGALE. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. Yes.

Mr. MASSINGALE. From the gentleman's knowledge of the soil-conservation camp enrollees, is it not a fact that these enrollees come largely from those portions of the United States where the drought has wrought such havoc and the boys in those regions are forced to take these places because they cannot find employment in other portions of the country?

Mr. JOHNSON of Oklahoma. I would say generally that that is true; but, on the other hand, I was out in Nevada and my good friend Governor SCRUGHAM took me to Boulder Dam, and to the upper reaches there, and we visited a couple of C. C. C. camps where they were doing wonderful work. I went into one camp and found boys there from the heart of New York City. Other camps I visited had boys from Ohio. I recall that one camp out West had a goodly number of Hungarian boys. I talked to a number of those boys, and found that some were absolutely hungry before they got

into the Civilian Conservation Corps; and, by the way, I was back in New York City during the last campaign as chairman of the speakers' bureau of the congressional campaign committee, and I went out one night in one of those communities and met the mother of one of those boys I met in Nevada, and she stood up there and, with tears in her eyes, said, "Mr. Congressman, when you see the President, tell him I don't know anything about the Republican Party or the Democratic Party or the tariff or many of the things that you have been talking about, but I do know something about these C. C. C. camps. My boy was without a job and I was hungry and did not have a job and I could not pay my rent. They were about to foreclose on what little property I had, and my boy had threatened to go out and steal, and said, 'Mother, if I wake up in jail, you will know that I was trying to get you something to eat.'" Then she added, "Last week my boy came back to me. They had made a stonemason out of him."

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield me 2 minutes to complete my story?

Mr. WOODRUM. I yield him 2 additional minutes.

Mr. JOHNSON of Oklahoma. That old lady told me that her son had secured a good job in New York City, that he was getting 80 and 90 cents an hour. She said: "The C. C. C. camps have made a real man out of my boy." Let me tell you gentlemen I have visited more than 100 C. C. C. camps in the United States; I have talked to these boys; I know how they feel about it; I know in how many cases it has meant the difference between their making a failure and getting a new lease on life. The good work these camps have done for more than 2,000,000 young men who have been enrolled in them cannot be measured in dollars and cents.

Mr. MASSINGALE. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. MASSINGALE. Has it not been the gentleman's observation that in our section of the country honest families who want to escape the dole and relief have really gotten more benefit out of the conservation service and the money that comes through their boys in that service than from probably all other relief agencies put together?

Mr. JOHNSON of Oklahoma. That is undoubtedly true; and since the gentleman has mentioned the dole, I am going to make a prophecy—and you gentlemen know how extremely interested I have been in the C. C. C. camps, how hard I have fought in the past to save them; how I have been to the White House with committees when the proposal was made to cut the number of C. C. C. camps—I make the prediction that if these 300 C. C. C. camps are abandoned that next year we will be called upon to abandon several hundred additional camps. I further predict that in their places we will have so-called transient camps, which might be called "flop houses." Of course, they can be operated more cheaply. The trained personnel will, of course, be kicked out. The educational program which has meant so much to the enrollees will likewise be abandoned, and a program that has been the pride of this administration will go down as a dismal failure. Then when the final story is written I am wondering if it will be any consolation to those who may be responsible, to say that it all happened in the name of economy. [Applause.]

[Here the gavel fell.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield 20 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Chairman, I am taking this time to make a few observations on some legislation pending before the House. I was informed today that my distinguished colleague from New York [Mr. SROVICH] has introduced a resolution asking the Congress and the President to protest the racial persecution of minorities in Rumania. This resolution, I assume, will be sent to the Committee on Foreign Affairs, where it ought to have immediate consideration. There are in Rumania 1,500,000 Jewish people who constitute a minority race. There are likewise large numbers of Hungarians and Catholics who are also minorities. We

are familiar with the situation in Germany, where the Jewish people were outlawed and declassified; but in Germany there were only 600,000 Jews to a population of 60,000,000 or more Germans; whereas in Rumania there are only 19,000,000 people, and of these 1,500,000 are Jews. If this Rumanian outrageous and intolerant program goes through, it will mean that 8 percent of the population will be outlawed, will be declassified, will have no rights. Their property will be confiscated and they will be practically driven out of the country. In view of this tragic fact, which is possibly the most inhuman governmental act that has occurred in our day and generation—it is an example of man's inhumanity to man at its worst—we should seriously consider this resolution, and after deciding upon its merits take action upon it.

I see no reason at all, in the light of what has occurred, why the United States Government, standing as it does for fair and civilized treatment of human beings, regardless of race, color, or creed, throughout the world, and in accordance with numerous past precedents, should not act favorably upon the resolution. I hope the Congress will ask the President to protest to the Rumanian Government in the interest of humanity, justice, peace, and friendly relations between nations and urge that the civic and economic rights of their citizens of Jewish origin be protected and that racial and religious persecution be stopped.

Mr. SIROVICH. Will my distinguished colleague from New York yield for a question?

Mr. FISH. I yield.

Mr. SIROVICH. Permit me to congratulate the distinguished son of illustrious forebears who have served humanity loyally and faithfully, not only in our country, but throughout the civilized world. In the resolution which I have introduced in the House today calling upon Franklin Delano Roosevelt to intercede in the name of humanity against the shameful treatment accorded by the Rumanian Government to its religious and racial minorities, and, failing to receive adequate satisfaction, to bring about the severance of diplomatic relations between the Government of the United States and the Kingdom of Rumania, it might interest my colleague to know that on July 22, 1872, your distinguished grandfather, Hamilton Fish, who had been a Member of Congress of the United States from 1844 to 1846, Governor of the State of New York from 1849 to 1851, United States Senator representing the Empire State from 1851 to 1857, and Secretary of State under President Grant from 1869 to 1876, dispatched upon a similar occasion of violent religious persecution in Rumania, an official communication to all American diplomatic representatives stationed in Europe and stated:

Although . . . as a rule we scrupulously abstain from interfering directly or indirectly in the public affairs of that quarter (Rumania), the grievance adverted to is so enormous as to impart to it as it were a cosmopolitan character, in the redress of which all countries, governments, and creeds are alike interested.

Since the time that your distinguished and eminent grandfather promulgated this doctrine of aid, comfort, and assistance to all unjust persecutions of minorities in any lands they may occur, it has been the established practice followed by the State Department and the Presidents of the United States. I congratulate the distinguished Member of Congress from the State of New York for following in the footsteps of his father who also served in Congress as well as the magnificent contribution of his grandfather, one of the most eminent Americans of our history, upon the altar of humanity. [Applause.]

Mr. FISH. A good deal has been said lately by administration authorities that they were considering bringing in a new wage and hour bill. I do not believe that there is any chance in this House to pass a wage and hour bill that sets up a commission or a board, whether it is composed of five members or of one member. The principle is the same, and there is no more difference than between tweedledee and tweedledum. Any board would mean more bureaucracy, more administrative agents, more Executive edicts, more

regimentation; and, speaking I think for an overwhelming majority on this side, we are fundamentally opposed to that type of legislation. Speaking, however, for myself, and I believe at least for one-third of the Republicans, if not for a majority, we would welcome legislation based on the bill introduced in the name of the American Federation of Labor, which by legislation establishes minimum wages and maximum hours throughout the Nation in order to prevent the exploitation of men, women, and children under sweatshop hours and sweatshop wages. If you Members on the Democratic side are serious and sincere, I believe that this type of legislation could be adopted at this session of Congress without much difficulty; but it must be uniform and it must be by law and not by increased bureaucracy.

Mr. RAMSPECK. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield.

Mr. RAMSPECK. Does the gentleman believe that Congress can impose a wage upon an employer without regard to the value of the services rendered?

Mr. FISH. I believe such legislation can be written on a constitutional basis, and I do not believe it was disputed much in the House when the Green bill was under consideration providing a minimum uniform wage of \$16 by law. Does the gentleman think that a minimum wage of \$16 per week is too high to adopt throughout the length and breadth of the land?

Mr. RAMSPECK. No.

Mr. FISH. I may say to the gentlemen from the South on the Democratic side of the House, if you think you are alone on the proposition that your people are not receiving wages as high as \$16 a week, you are mistaken. I have factories and sweatshops in my district that only pay \$12. I know other districts in the North in which they pay only \$6 a week. I want to do away with that kind of inhumanity to man and put an end to such intolerable conditions which affect adversely the health, the welfare, and the very lives of underpaid and underfed American citizens.

Mr. SIROVICH. Is that paid to women?

Mr. FISH. To men, women, and children. In New Jersey they pay even less.

Mr. ROBSION of Kentucky. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. If the Congress has the power to delegate to some administrator or board the fixation of minimum wages, it undoubtedly has the constitutional and legal authority to fix minimum wages.

Mr. FISH. That is what I intended to say, if I did not do so. The point was not raised when that matter was brought up for consideration a month ago in the Congress. If we have the right to do one, we have the right to do the other. All I am trying to point out is if you are sincere and want action, it can be accomplished in this Congress, but it has to be done uniformly and by law. If such legislation is presented I can guarantee that at least one-third of the Republican votes will support it, if not a majority.

Mr. RAMSPECK. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Georgia.

Mr. RAMSPECK. If the gentleman will look in the Record of December 14, 1937, page 1500, he will find therein the testimony of Mr. Robert Jackson on that particular question, in which he stated that he doubted very seriously whether we could pass a rigid minimum-wage law. There is no record, of course, of any such law ever having been passed in this country by a State. It all had to do with consideration by a board.

Mr. FISH. I may say to the gentleman I cannot agree today with the authority he suggests. Perhaps I would have a few weeks ago, but I have lost faith in Mr. Jackson since his recent remarks that wealth and capital were on a strike. If he had said that confidence had been locked out he might have been correct, but not that wealth and capital were on a strike or were trying to liquidate the New Deal, because they cannot liquidate the New Deal administration without liquidating themselves. When anyone makes a statement of that kind naturally you lose faith in him.

There is another piece of pending legislation I would like to make some observations on, and that is the Ludlow war referendum resolution.

During all the time I have been a Member of Congress I doubt if there has been any measure so viciously attacked and in such a misleading manner. What does the resolution propose? That is, after the amendments that Mr. Ludlow and those who agree with him have been accepted. They propose to exclude the American Continent and attacks upon the high seas, two perfectly proper amendments. With those amendments what does the proposal of Mr. Ludlow do? It merely gives the American people the right to vote on whether they want to keep out of foreign wars, nothing more or nothing less.

If you believe in our free institutions, if you believe in popular government and government by and with the consent of the people, is it not our duty to give the people the right themselves to say whether they want to keep out of foreign wars? Are we superior to them or are we their servants? For the life of me, I cannot see why there should be any opposition to this resolution. It will go back to the people to determine in convention or legislature in their own States whether they want this right or not. But why should we keep that right from those who will carry the muskets, from those who will pay the bills, and from the mothers and fathers of our country? Have they not more justification and more right to vote on that simple question whether they will go into a foreign war, join in alien blood feuds and ancient boundary disputes, whether they will police any other nation or whether they will quarantine any other nation. No one is more in favor of national defense than I am. This war referendum does not affect national defense. I am for a Navy second to none and will vote for it, but I believe in doing everything in my power to keep this country out of foreign wars. I know of no better way of accomplishing that than to give the people the right to vote upon the question themselves.

Mr. SIROVICH. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from New York.

Mr. SIROVICH. Will the distinguished gentleman state whether or not an attack by a foreign country on a South American country would be construed as an attack upon us?

Mr. FISH. I stated previously that Mr. Ludlow and those who were backing the war referendum bill will offer an amendment to exclude the American Continent, which would include South America, Central America, and Canada; in other words, the entire continent. I think this amendment is necessary and wise for two reasons, first, because of the Monroe Doctrine, and second, because of the various treaties that have been entered into by this administration practically guaranteeing our support in case of foreign invasions.

Mr. SIROVICH. It would also exclude attacks on the high seas?

Mr. FISH. Yes. I made that definite statement a few minutes ago. I would not vote for the resolution without those provisions or if it jeopardized our national defense.

I believe the bill should be brought out on the floor. Those amendments will be offered, and then we can vote on the merits of the bill after a serious and, I hope, a fair and comprehensive debate.

Mr. MARTIN of Colorado. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Colorado.

Mr. MARTIN of Colorado. The gentleman's mention of the Ludlow amendment was the first I had heard about that particular feature. However, I read the gentleman's radio address in the CONGRESSIONAL RECORD in which he said he would propose an amendment to except from the referendum military or naval expeditions against the United States, which would wipe out the 3-mile limit, it seems to me, and make the world the limit in which we could get into a war. I am not saying I am opposed to that. It would appear to me the gentleman is proposing to offer an amendment to the Ludlow bill which would render it useless, even if the matter were submitted to the people.

Mr. FISH. That amendment has not been agreed to by the supporters of the bill, and I may not offer it. I may say

that as far as the Ludlow resolution is concerned, I do not think it will stop war. However, I do believe it will be a deterrent and, if the people have this right which they ought to have, as they can use it themselves to keep out of unwarranted foreign wars. That is all I hope for. I do not want to interfere in any way with the national defense of our country.

Mr. COX. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Georgia.

Mr. COX. What would be the situation in case the Congress had referred the question of war to the people and the people had voted in the affirmative and, in the meantime, however, the situation had so changed that it might be handled through different channels? Would the obligation then be upon the Congress to proceed with the declaration of war?

Mr. FISH. Certainly not; if the war was settled in advance it would not make any difference after that. That to me is self-evident. You will find all kinds of arguments of that nature which seek to muddy the waters, but which actually mean nothing whatever. That is why I said in the beginning that there has been more misleading and unfair propaganda issued against the Ludlow resolution than any other measure in years. For that very reason it is only fair to vote to give the Congress the right to consider it and to provide a reasonable amount of debate so that both sides can be adequately presented.

This is a very important issue. It is nothing less or nothing more than, "Do you want to give the people the right to keep out of foreign wars?"

Mr. HARLAN. Mr. Chairman, will the gentleman yield?

Mr. FISH. I will yield briefly.

Mr. HARLAN. The big question before the House is whether or not we are to approve the Ludlow amendment. Is the gentleman in favor of this amendment?

Mr. FISH. I am for it, with amendments, and I want it brought out in the House. I cannot understand anybody trying to block its consideration. No one knows what form it will take until it is adopted by the House, when we vote on it on its merit. When a Member says we have no right to consider the resolution he is saying the American people have no right to consider it, but they ought to have this right if they want it, because we are nothing but the servants of the people back home.

Mr. WOODRUM. Mr. Chairman, will the gentleman yield briefly?

Mr. FISH. Yes; I yield to the gentleman from Virginia.

Mr. WOODRUM. May I ask the gentleman a question, not to muddy the water, but because I really want the gentleman's answer. I know the gentleman has led a most commendable fight in the House and in the Nation against subversive foreign influences in this country. The gentleman has fought that fight valiantly and splendidly in this country. I ask the gentleman this question for information: Suppose the Ludlow resolution passes and the amendment is ratified by the States. It is now law. The question arises whether or not the American Government is going to engage in some foreign difficulty. What does the gentleman believe is going to happen in this country in the way of foreign influences being immediately set to work in every electorate and in every voting precinct in the country? Influence will be exerted and money will be spent in an attempt to influence the electorate of this country to take a stand for or against the proposition.

Mr. FISH. I will answer the gentleman's question. I am not afraid of that, because I believe in popular government. That is what happens every time we go into an election. The American people are accustomed to propaganda. What I am afraid of is foreign propaganda being used the way it was when we went into the World War, through the big bankers, the internationalists, and people who had commitments and financial interests in other nations and used their influence in the press which they controlled and in magazines, but more effectively in secret and in invisible ways. I am not afraid of propaganda if the entire electorate is going to vote on the question. We are all accustomed to

propaganda, especially those of us who go before the people in our congressional districts. Propaganda is always used against the gentleman from Virginia and against me when we are candidates for office, and it is part of our American system of popular government. I am much more afraid of the back-stair propaganda, of the kind of propaganda that is secret, that you cannot see. Invisible government is much more to be feared that works in the dark and on a few than open propaganda on the many. I have no fear whatever of any form of propaganda which is brought out in the open and can be openly met and answered by the American people on both sides of the issue.

Mr. SIROVICH. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield to the gentleman from New York.

Mr. SIROVICH. One of the main contentions of those who are opposed to the Ludlow resolution, according to the letters I have received, is that if Congress and the 36 States of the Union approve this amendment a precedent will be established which will make it necessary for all major forms of legislation to be referred to the people for approval before becoming law. Does the gentleman believe such a contingency may arise in the future?

Mr. FISH. I am pleased the gentleman has raised that question. I will first answer the gentleman indirectly and then directly.

At the present time you hear of nothing but sneers from Mussolini and from Hitler that the American people are going to vote on the question of foreign wars. May I say to the Congress that if you want to set a world-wide example you can do it by approving the Ludlow amendment giving the people the right to vote on foreign wars. Once you set such an example the people of the other nations of the world will want the same right, whether they be in Italy, Germany, Soviet Russia, or any other country. You could not do anything better for world peace than approve the Ludlow amendment. [Applause.]

[Here the gavel fell.]

Mr. WOODRUM. Mr. Chairman, I yield 5 additional minutes to the gentleman from New York.

Mr. SIROVICH. The gentleman has not answered my question with regard to the possible demand for a referendum on other major issues.

Mr. FISH. I believe the question of life and death, the question of whether American youth should sacrifice their lives for their country, is entirely different from whether we should have a farm bill or a tax bill. May I point out to the gentleman we are not elected upon a mandate as to war or peace. We do receive a mandate on farm legislation, on taxes, and so on, but there is no mandate from the people on the question of war. What objection can there be to going back to the people on this greatest of issues involving us in a foreign war, an issue which may mean the preservation of our own country and its institutions?

May I say further to the gentleman that if we adopt this amendment and keep out of foreign wars we will save our own free institutions and our republican form of government. Once we get into another foreign war and establish centralized regimentation—social, economic, and military—along the lines of fascism we may never return to our free institutions and popular government. That is something else to think about—in my opinion, a very important consideration.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Mississippi.

Mr. RANKIN. May I ask the gentleman if he believes an example of this kind as set by the American people would induce the peoples of other countries of the world to follow suit and begin to demand that they have some recognition when it comes to plunging their countries into foreign wars?

Mr. FISH. That is exactly what I believe, and I think that is exactly what I said.

Mr. RANKIN. I did not hear the gentleman, then.

Mr. FISH. I believe that would be the natural and logical result. If we give such a right to our people, the other people of the world will be demanding the same right, because they have far more fear of the horrors of war than we. I cannot

conceive of any nation attacking the United States of America. I defy any Member of Congress to say any nation can land troops in America, or would even dare try it, as long as we have a strong navy.

Mr. PIERCE. Mr. Chairman, will the gentleman yield?

Mr. FISH. I will yield briefly to the gentleman.

Mr. PIERCE. How far does the gentleman believe the citizens of Italy or Germany or even Russia would get in demanding such a right?

Mr. FISH. I do not believe they would get anywhere at the present time.

Mr. MASON. In demanding anything.

Mr. FISH. I do not believe they would get anywhere in demanding any popular rights at this time, but I submit that it will logically follow that if it works here they will be demanding such rights in the future. I agree with President Roosevelt, and I gladly agree with him, when he said the despotic forms of government, these autocracies and dictatorships of the Old World, will not last because they repudiate the rights of the people, and the time will come when they will follow our example and turn back to free institutions and to peace.

Mr. MARTIN of Colorado. Mr. Chairman, will the gentleman yield for a suggestion?

Mr. FISH. I yield.

Mr. MARTIN of Colorado. I want to suggest that the gentleman should save what he has in that newspaper clipping for another speech, as it might anticlimax this one and spoil it.

Mr. FISH. I believe it will, with some of the Democrats, because I am going to quote a very well-known Democrat—Mr. John L. Lewis. [Laughter.]

Mr. SIROVICH. Who used to be a Republican.

Mr. FISH. Yes; but he has lost his wisdom and his cunning.

John L. Lewis declares that dangers threaten the Nation, and yet Congress does nothing about them. "Mills and plants * * * are closing down and turning men out," he told his steel workers' convention; "there are no adequate arrangements for relief and no prospects for other employment."

Mr. Lewis is strongly convinced that something must be done. He declares that no suggestions have been made except those from "the house of labor," and these are ignored.

And so on. I quote Mr. Lewis because, possibly, if I volunteered the same information it might be considered partisan.

Mr. SIROVICH. Or an anticlimax.

Mr. FISH. So I rise again, as I have done before in this Congress and in the special session, to ask, What does the administration propose in the way of a program of recovery? What plans has it to put back to work the 11,000,000 unemployed?

I listened with all the rest of the Congress to the President's speech the other day, a mild and conciliatory speech in comparison with some others we have heard recently, but nowhere in that speech does he mention the depression, the biggest issue in America today. Nowhere in that speech does he mention the 11,000,000 unemployed, and not mentioning the depression or the unemployed, naturally, he does not propose any program of recovery or suggest any plans to put the 11,000,000 Americans back to work.

[Here the gavel fell.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. SIROVICH. There is no depression—there is only a recession.

Mr. FISH. We have recently undergone a bombardment, a barrage of hatred and alibis. The administration, evidently, has entered into a conspiracy to unload this depression or repression upon some other group. First, it is the Congress, with a 4-to-1 majority, and that is laughed out of court. Then it is the press, and that does not go with the public.

Then it was the World War veterans, and that fell flat, and now they have succeeded in finding 60 men who are responsible for bringing about the depression and causing the unemployment of 11,000,000 people.

This concentration of wealth is given as the cause, and in the minute that is remaining I propose to answer that.

What are the facts? These 60 rich men, all having large fortunes, are squeezed dry with taxes, Federal taxes and State taxes. The Federal income tax on these big fortunes is 79 percent. In addition to this, there are State taxes all the way up to 15 percent in California. After that there are your real-estate taxes, your town and city taxes, your school taxes, your gasoline and sales taxes, and, finally, your dog taxes, and in some cases this represents 100-percent taxation.

Mr. SIROVICH. How about tax-exempt bonds?

Mr. FISH. This is the alibi that is being used to take the curse off the Roosevelt-made depression and to blame big business. It is even claimed that concentrated wealth endangers the country and has brought on this depression and has caused the unemployment of 11,000,000 men by going on a strike. It is not big business but the New Deal that has destroyed confidence, promoted class hatred, and spread fear and uncertainty throughout the Nation.

Mr. SIROVICH. The gentleman forgot to mention tax-exempt securities.

Mr. FISH. I will mention that in my next speech.

Mr. Jackson says there is a monopoly in the country. He does not specify where the monopoly is. He gave no bill of particulars. He could have said tax-exempt securities. This administration has issued \$20,000,000,000 of tax-exempt securities. This is a monopoly in itself and creates a monopoly and permits the 60 rich families to avoid paying taxes. If you are going to talk monopolies, let us know where the monopolies are, and if there is not sufficient law, the Congress will provide such authority so that Mr. Jackson can perform his official duties and prosecute monopolies wherever they may exist.

All I say is this: Let us face the facts. Let the administration stop their stupid alibis and trying to place the blame for the Roosevelt depression on big business and instead try to restore confidence, revive employment, and put 11,000,000 Americans back to work. [Applause.]

Mr. WOODRUM. Mr. Chairman, I yield 15 minutes to the gentleman from Ohio [Mr. LAMNECK].

THE RESPONSIBILITY BELONGS TO CONGRESS

Mr. LAMNECK. Mr. Chairman, we are assembled in a session of Congress which I sincerely believe is to prove one of the most important ever convened in the history of the United States. What we do here not only will have a far-reaching influence on shaping the destiny of our Nation but also in deciding the fate of the world. For the world today looks to the United States for leadership in the wise solution of its domestic, political, and economic problems, as well as in furnishing guidance in international affairs. If we fail to solve our domestic problems, we shall at the same time fail to maintain our leadership internationally among the nations of the world. It is true, indeed, that the individual or the nation which cannot conduct an orderly household of its own likewise cannot point the way for larger groups.

Unquestionably responsibility for the solution of the problems confronting this Nation today reposes in the hands of Congress. For approximately 5 years Congress has yielded a leadership which rightfully belongs to it to other hands, and that leadership has failed in many major respects. I measure my words when I make this statement, and I make it with the deepest regret. I am a Democrat. I came to Congress determined, insofar as I could, to cooperate with the executive branch of the administration. I was hopeful, indeed, at the outset that the leadership which Congress and the country accepted would prove successful. As long as I could entertain a hope for this success I followed that leadership. But when the time came that I was convinced that this leadership was departing from the tried and true principles upon which our Government was founded and the application of which had made this country, despite all our present difficulties, the happiest and most prosperous in the world, then I ceased to go along. I still am a Democrat, but first of all I am an American citizen, devoted to the principles upon which this country was founded and has endured. As I see the light, I

propose to adhere to these principles, for I believe that only through such adherence can the United States be saved for our people and the rest of the world.

Our principal problem today is to restore confidence in the commercial and industrial future of the United States. When that is done—and it can be done—money which is now gorging the banks and is being kept in hiding in other places because of the uncertainty of its holders of the soundness of investment in industrial enterprise in this, the richest country in the world, will start flowing back into the channels of trade. With that factories will start humming, building will be resumed on a wide scale, wholesale and retail trade will be accelerated, and our greatest national problem, that of providing work for the unemployed, will be solved.

This happy state of affairs can be brought about by a simple return to the fundamental principles of business on which this country was founded and under which it prospered for so many decades. It cannot be accomplished by a continuation of the policy of Congress submitting to the leadership of a handful of crackpots, whose weird schemes having failed now are engaged in a desperate effort to fix the responsibility for their failure on business. Neither the majority of Congress nor the majority of the sound-thinking people of the United States themselves believe this fantastic explanation of our present plight which has been broadcast to the world within the last 3 weeks.

Say what you will, there is no question but that the speeches of Messrs. Jackson and Ickes were trial balloons sent up to determine the gullibility of the people of the United States. Nobody who has even the most meager information has any doubt that these attacks were desperate attempts to find a substitute tune for Happy Days Are Here Again.

The immediate and practically unanimous disapproval of the Jackson-Ickes blasts was a heartening thing for the United States. It showed that the people of this country still have their feet on the ground and fundamentally are thinking straight. By their vehement disapproval of the Jackson-Ickes caterwauling, the people of the United States silenced these two foghorn-voiced advance guards of the red-herring brigade.

It is extremely unfortunate, with the pressing problems confronting the country, that all of this good time was given over to sending up trial balloons instead of devoting it to serious study of effective remedies. Bad as the situation is, it is not one which is impossible of solution. All that is needed to turn this country back into the channels of prosperity and happiness is to abandon pursuit of these quack cure-alls and return to common-sense remedies. Throw these cures and the foreign-minded specialists who prescribe them out of the window and substitute a diet of untrammelled American competition, and this country will soon be back on its feet, "rarin' to go."

I have no time for the man who simply criticizes a program and offers no substitute for it. Therefore, I propose now to take up in detail the problems that are confronting our Nation and to offer definite suggestions for their solution.

Initially, let us clear the atmosphere in regard to the underprivileged one-third of our population, and ways and means of making it prosperous.

Unfortunately, the impression has been created that the people's representatives in Washington are divided into two camps on this subject. The erroneous idea has gained currency, largely through promotional New Deal addresses, that the inner circle is exerting every effort, under a mandate from the voters, to restore the unfortunates of the country to prosperity, while everyone who has the temerity to question any sort of fantastic plan for dealing with the problem of returning prosperity is a tool of the wicked interests bent on crushing the very life out of this so-called one-third of our population.

So energetically have proponents promoted this idea that they finally have switched the facts around so as to make it appear that a major factor in the solution of this outstand-

ing national problem is the passage or defeat of the hodge-podge wage and hour bill, which recently was recommended by the House.

The facts are that nobody ever has determined accurately how many persons would be affected by the wage and hour bill, either in its original or revised form. A careful search of the record reveals that only one definite figure as to the number of persons who would be affected by the proposed minimum wage of 40 cents an hour ever has been given. That figure came from Leon Henderson, economist, of the Works Progress Administration, on June 2, 1937. Then, quoting figures, the most recent of which were almost 3 years old, he said that he found that in 71 industries exactly 287,582 persons were receiving less than 40 cents an hour. When pressed for an estimate on the number of persons who would be benefited by enactment of a minimum wage of 40 cents an hour, he said that he hesitated to make a guess, but he thought it would be "something under 3,000,000." That figure did not take into consideration exemptions in the industrial field which later were provided in such wholesale quantities by amendments to the wage and hour bill, and also it included workers engaged in production of goods sold in intrastate trade who would not be affected by the measure as proposed. Since neither the Department of Labor, the endorers of this bill, nor any other persons so heatedly demanding its passage have ever been able to say accurately how many persons would be affected, it ill behooves me to attempt an estimate. However, you may be quite sure that it is vastly under the top estimate of 3,000,000 made by Mr. Henderson, who was friendly to the proposed legislation. If the figure reached 1,000,000, I should be surprised, indeed. This, you will agree, is a very small percentage of the total labor force of almost 53,000,000 persons in the United States. It represents less than 1 percent of our population.

The argument is advanced by friends of this legislation that its passage would create more jobs, but there are informed persons who unreservedly disagree with this opinion. For instance, Dr. Charles F. Roos, former director of research of the N. R. A., recently estimated that enactment of the bill would curtail employment at least one-half million within the first year of its operation.

As to the persons affected by the proposed 40-hour week, the Department of Labor has estimated this number to be approximately 6,000,000. With employment falling rapidly as at present, it would take an optimist, indeed, to believe that the shortening of the hours of these 6,000,000 would make any appreciable dent in the present unemployment—total variously estimated at from eight to eleven million persons.

I apologize to the House for consuming so much time in a discussion of the weakness of the argument that passage of the wage and hour bill would have any appreciable effect on unemployment. The true situation has been so badly misrepresented, however, that I felt the necessity for quoting the facts as I have done.

Now, let us consider constructive ways of putting this country back on its feet.

The outstanding need is to balance the National Budget. This can be done, and it is the duty of this Congress to see that it is done. Unless Congress takes this situation fearlessly in hand the Nation probably will wind up with even a larger deficit than the \$949,606,001 indicated in the President's message of January 5.

The Budget can be balanced by two methods. The first and most needed and most promising one is to so encourage business by giving it definite assurances of fair treatment that incomes will rapidly increase and bring more money into the Treasury. The other is to slash expenditures to the bone.

Adjustment of relief expenditures cry for attention. The continuance of Federal relief dispensed directly from Washington is outrageously expensive, unjustified, and unsound. With all possible rapidity relief work should be turned over to

the States. By this I not only mean the distribution of funds but also the furnishing of them. While I would not advocate that the Federal Government entirely abandon assisting the States where proven necessary, in general relief should be localized and each State and community compelled to care for its own. I realize that adoption of such a plan is improbable, but I can find no good argument against it except the one to which reference is seldom made, that of the advantage of maintaining a large Federal political machine through the dispensation of relief funds from Washington. I believe firmly in cutting down costs along the lines suggested by Secretary Morgenthau, but, primarily, it is the relief problem that should receive our immediate attention. The system of Federal grants to States also is a vicious one and should be abandoned. The P. W. A. should be abolished as soon as it is practical to do so.

A balanced Budget, or even immediate prospects of one, would prove a great impetus to prosperity. Greater still, however, would be the enactment of a fair tax bill. Primarily, the surplus-profits tax law should be repealed. There should be substituted therefor a definite levy against corporate earnings beginning at 12 percent for corporations earning not over \$25,000 a year and for a maximum of 16 percent for those earning above that. The House Subcommittee on Taxation, according to newspaper and other reports, has agreed on the following schedule: Twelve and one-half percent on \$5,000, 14 percent from \$5,000 to \$25,000, and 20 percent on or in excess of \$25,000, with a credit of four-tenths of 1 percent for each 10 percent of earnings distributed.

This, however, tells only part of the story. I have just learned that there is a definite move to penalize certain corporations by making the old tax law applicable to them. Closely held corporations, such as that of Henry Ford, are to be singled out for special treatment.

Just why Henry Ford should be made the goat of this and other tax by the administration is a question which the country at large would like to have answered. Perhaps the man to answer that is Secretary Morgenthau of the Treasury. Mr. Ford undoubtedly has done as much for the industrial welfare and the happiness of the United States as any single individual. He has provided work for thousands of persons, always has paid high wages, and generally has been a good citizen. Yet for some reason which does not appear clear this administration has been relentlessly on his trail. It started after him in the N. R. A. days. It has aided and abetted labor organizations that have tried to disrupt his satisfactory relations with his men. Mr. Ickes, in his inspired air address, attacked Mr. Ford as a wicked law violator. Now, in keeping with past performances, a plan is on foot to harass Mr. Ford with a special type of taxation.

Mr. Ford seldom is quoted in the newspapers, but whenever he is, on economic subjects, I am always impressed by his good, hard common sense. His sound statements provide a pleasing contrast to the gas attacks of most of his detractors and always arouse in me great hope for the industrial future of America. Mr. Ford, on Wednesday, gave to Bert Pierce, of the New York Herald Tribune, one of his infrequent interviews and, as usual, it was filled with optimism for the future. Apparently the flea bites of his administration assailants are not discouraging him in the least. He sees jobs for all and a good year ahead. Incidentally he made a remark about Congress which I think every Member of the House might well ponder. He said:

Among the outstanding needs of this country is a sensible, unbiased Congress, under the control of the people who sent the participants there. The Members of that body now are going to do some thinking for themselves, I believe, and the country will benefit by it.

Turning again to the industrial side of national problems, Mr. Ford declared that there are too many easily discouraged and too few who show the initiative that always has been characteristic of Americans. He laid this apathy to depressing threats against industry which have been circulated.

They frighten people with threats that cannot possibly be fulfilled.

He said:

There is plenty of money in this land and there is no reason it should not be equitably expended in employment. There are more good mechanics and other workers today trying to find their proper levels than ever before. We are on the threshold of a period when production will be the keynote, and not only will these mechanics be busy, but we will need more mechanics than we now have. I look for that soon.

What can be the motive behind administration attacks on Mr. Ford, and what on earth can be their purpose? Is it possible that there is a concerted movement among a certain group in the financial field and in the National Labor Relations Board, particularly, which has some personal feeling against Mr. Ford and therefore seeks to wreck him and his business?

It is barely possible that a continuation of these attacks might wreck the Ford organization. If so, just what would be accomplished by it? Suppose that the Government warfare carried to its logical conclusion should put Mr. Ford out of business. What would happen then? Would the administration provide work for his vast army of employees? Would it turn over his plant to some other motorcar manufacturer who stood in a more favorable light with the administration? Would it put his plant up for auction and, finding no bidders, dismantle it just for the satisfaction of proving that one big industry at least had met its master? Or, to carry the situation to the apparent ultimate object of the intellectuals from the needle trades who now occupy so many Government positions, would it communize his plant and demonstrate how a big industry really should be conducted?

We have no power or right to use the taxing power as a penalty such as is intended in this legislation directed at Mr. Ford and others and as was intended in other legislation such as the Guffey coal bill. Our taxing power is almost unlimited for the purpose of conducting the affairs of Government as provided in the Constitution, but we are decidedly limited when we use the taxing power for purposes other than Government under the Constitution. We are using the taxing power unconstitutionally now, and I think it will be so held in due course.

The labor situation, which the President dismissed with a slight tap on the wrist for unions engaged in jurisdictional disputes, cries to high heaven for adjustment. The Wagner Act, voted into law I believe by a majority of Congress in the sincere belief, or at least the hope, that it would make for industrial peace, has made for industrial warfare. There are two outstanding reasons for this situation. One is that the law as written arrays the Government against employers instead of assigning Government to its proper role of peace-maker. The other is that the National Labor Relations Board, overwhelmingly manned below the three key positions by foreign-born radicals and bitter foes of employers, has taken every advantage of the loosely constructed law to harass business and industry and act as a business agent for one element of union labor. The inevitable result of these situations has been that business and industry generally have been bedeviled as never before in history and today hesitate to make any move through fear that they will be pounced upon by the Board with a new interpretation of the law which will prove both annoying and expensive.

If this Congress does nothing else to aid business, it should amend the Wagner Act in such a manner as to make it fair to all parties concerned and to give business and industry an opportunity to go forward under definitely stated regulations. I am glad to see that a movement already is under foot for an investigation of the activities of the National Labor Relations Board looking to amendment of the act. My prediction is that such an inquiry will develop astounding revelations as to the lengths to which the Board has gone to foment industrial strife in this country. I predict the inevitable result will be a thorough house cleaning, particularly in the field forces of the Board, and an amendment of the act to make it what it was intended to be, an instrument which will produce friendly and constructive relations for the benefit not only of employees and employers, but for

that great silent group which is paying the bill for industrial troubles, the public itself.

The President has said that only a small part of business and industry is bad and that this group must be brought into line. Nobody will argue that corrupt business should not be made amenable to the law. We have pretty strong laws now relating to this subject and one wonders why, if conditions are so bad as they have been painted by administration speakers recently, something has not been done about them before. The Department of Justice has had 5 years in which to prosecute, but apparently only recently did it discover that dangerous violations of the laws were taking place. The country will watch with interest remedies applied by the administration to correct the eight vicious business practices outlined by the President. Personally, I shall be interested in seeing just how he will correct bad practice No. 4 which he lists as "high-pressure salesmanship." I can imagine nothing which would inspire the Nation more than to have all news reels show Homer Cummings capturing red-handed and delivering to the bar of justice a nefarious vacuum-cleaner salesman while engaged in a wicked "high pressure" transaction.

Improved business alone can solve the problems which confront us. We all know that when real prosperity returns business will bring it. Business will improve whenever Congress, assuming its rightful duty and leadership, buckles down to work and deals with pressing problems in a common-sense way. The time is ripe for us to take off our coats, roll up our sleeves, and get busy. Let us do it now. [Applause.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield 15 minutes to the gentleman from Maine [Mr. BREWSTER].

Mr. BREWSTER. Mr. Chairman, I come here in somewhat different guise than the gentleman from New York [Mr. WADSWORTH], who spoke earlier this afternoon, but with somewhat of the same theme to present from the State of Maine. I come as one who in the early period of this administration supported the proposition that we might recover by priming the pump. I voted almost alone on this side in the early days for certain of the large appropriations which very much unbalanced the Budget. I continued to vote even after the project which was dearest to my heart had come to an untimely end.

We have gone through a period of 5 years, and we enter once again the valley of decision. I do not want to seem to be unkind, and yet it is necessary to remind ourselves that there are eternal truths. It is as true today, as when it was said by Candidate, now President, Roosevelt 5 years ago, that "taxes are paid in the sweat of every man who labors, because they are a burden on production and can be paid only by production. If excessive, they are reflected in idle factories, tax-sold farms, and hence in hordes of the hungry tramping the streets and seeking jobs in vain."

It was upon that thesis that this administration was first given a grant of power.

It is as true today, as it was 5 years ago, that continuing governmental deficits spell unemployment and misery to the workers of this land.

President Roosevelt, in a message to Congress on March 10, 1933, said:

With the utmost seriousness I point out to the Congress the profound effect of this fact (an unbalanced Budget and a continuing governmental deficit) upon our national economy. It has contributed to the recent collapse of our banking structure. It has accentuated the stagnation of the economic life of our people. It has added to the ranks of the unemployed.

If this was the effect of a governmental deficit of \$5,000,000,000 what must be the effect of a deficit of more than \$15,000,000,000 since accumulated and still accumulating?

It is as true today as it was 5 years ago in that memorable campaign, "that liberal governments have been too often wrecked upon the rocks of a loose fiscal policy."

I do not utter these words in order to be or to seem unkind. I present them as a preliminary to urging that this Congress shall definitely assume a responsibility that belongs

to it, and that with the cooperation of those who control the destinies of our Committee on Appropriations we seek once again to restore those sound fiscal policies which every one agrees are vital if America is to be restored.

I do not charge that the one who uttered those words uttered them lightly or inadvisedly or with any degree of insincerity.

The most that I would say was said by a kinsman of his who formerly occupied the same highly responsible place. I heard him say in criticism of his successor:

He means well, but he means well feebly.

That seems a restrained comment upon the Budget-balancing proclivities of this administration.

If any of you heard Theodore Roosevelt utter those words, you will realize that he had come to know what everyone learns who occupies any executive position, however modest—that there are fierce and powerful influences hovering about the throne. One crowd pulls the coattails one way and another crowd pulls them the other way. Each night as I walk by the White House I wonder how any man occupying it is able to survive.

We arrive once again where 11,000,000 men are unemployed. It seems to me that the experience of the last 5 years would lead us all to feel that now is the time to try some other method than priming the pump; that we try now some of the old and tested principles by which for a century and a half America has found it possible to progress.

It is fashionable now to present an anonymous stooge. I want to indulge that distinguished precedent by presenting here a figure with whom in the past year it was my privilege to talk—one closely connected with this administration from its very inception; one of the half dozen senior counselors who is still close and influential and has access to the Presidential ear.

This gentleman said to me:

In my judgment, we are moving steadily toward a debacle that will challenge the people of the United States. It may be that the only thing that will ultimately save this administration will be a foreign war. That is one way to get men reemployed.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. BREWSTER. I yield.

Mr. McCORMACK. The gentleman is not intimating for an instant, is he, that any such thought exists in the mind of the present administration?

Mr. BREWSTER. I am assuming the same privilege which the President has assumed on many recent occasions of quoting a gentleman whom I sufficiently described.

Mr. McCORMACK. The gentleman has not answered my question. That is very, very nice. I enjoy listening to the gentleman from Maine, but I asked him a very simple question. Is the gentleman intimating that such is the intent of the present administration? If not, why use veiled language? It is a pretty serious charge to send out to the country. I ask the gentleman, in all fairness, is he charging directly or indirectly that the present administration has any such thing in mind?

Mr. BREWSTER. I do not understand how the gentleman uses the term.

Mr. McCORMACK. War, war!

Mr. BREWSTER. I do not understand how the gentleman uses the term "administration"; what does he mean by that?

Mr. McCORMACK. The gentleman said some spokesman close—

Mr. BREWSTER. I did not say spokesman.

Mr. McCORMACK. The gentleman said one close to the President.

Mr. BREWSTER. Right, right; and I described him. He has many men around him. This is what one of his advisers said.

Mr. McCORMACK. What is the gentleman trying to convey by that statement?

Mr. BREWSTER. I am trying to tell exactly what was said to me.

Mr. McCORMACK. What is the gentleman intimating?

Mr. BREWSTER. And I am doing exactly the same thing with this person as stooge that the President does in connection with his stooges.

Mr. McCORMACK. What impression was made on the gentleman's mind?

Mr. BREWSTER. I have been profoundly disturbed ever since I heard what that man had to say. It has been largely influential in determining my attitude so far as the question of peace and war and international policy is concerned in this administration.

Mr. McCORMACK. Is the gentleman trying to intimate that any such thought is in the mind of the present administration—the resort to war if the debacle to which the gentleman has referred should happen?

Mr. BREWSTER. I have said exactly what was repeated to me by the gentleman whom I have described.

Mr. McCORMACK. But what does the gentleman intend to convey to the Members of the House? That is what I am trying to draw out.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. BREWSTER. I want to answer the gentleman from Massachusetts first.

Mr. McCORMACK. The gentleman has not answered my question.

Mr. BREWSTER. First, the country now faces a desperate situation. Second, a foreign war would temporarily solve our economic crisis. Third, a gentleman very close to the present occupant of the White House, one who has been there for 10 years, long before the President came to Washington, made that statement to me on the train between New York and Washington; and ever since I heard that I have been profoundly disturbed.

Mr. McCORMACK. Does the gentleman mean to convey to the country that the present administration has any such intention in mind?

Mr. BREWSTER. It is impossible to tell what intention the present administration has in mind; in fact, I doubt it has any intention so far as it is possible to determine from the record of contradictory statements that issue not only from the White House but from all those who surround the throne.

Mr. McCORMACK. But the gentleman himself was close to the White House at one time.

Mr. BREWSTER. I hope I still am.

Mr. McCORMACK. The gentleman talks about war to offset the present depression.

Mr. BREWSTER. I certainly did.

Mr. McCORMACK. What does the gentleman mean by that statement? Does he mean to convey to the country that the present administration intends to declare war as a subterfuge or as a final resort if we should become severely depressed economically?

Mr. BREWSTER. I have made no such charge.

Mr. McCORMACK. The gentleman has not, of course, but has he not intimated it?

Mr. BREWSTER. The gentleman from Massachusetts may draw any conclusion he likes from my statement.

Mr. McCORMACK. What inference does the gentleman from Maine wish me to draw?

Mr. BREWSTER. That there are powerful influences in this country that would profit by war and that everyone in authority must be constantly on guard. If the gentleman will wait until I conclude my speech perhaps he will get a more complete answer.

Mr. McCORMACK. Perhaps.

Mr. SIROVICH. Mr. Chairman, will the gentleman yield?

Mr. BREWSTER. Briefly.

Mr. SIROVICH. I have watched with very keen interest the splendid contributions of the former Governor of Maine while he has been a Member of the House. He has been a real liberal and progressive, and he voted with the Democrats

on many occasions. I respect his opinions, although I may differ with his conclusions. I warn the distinguished gentleman, however, in making a statement that some stooge for the President, even the gentleman who might have spoken to him—

Mr. BREWSTER. No; this stooge was for me, not for the President.

Mr. SIROVICH. I warn the gentleman to remember the old admonition, "Never believe anything you hear and only half of what you see."

Mr. BREWSTER. Did the gentleman apply that to the speech we heard from the rostrum here the other day? [Laughter.]

Mr. SIROVICH. What we heard from the rostrum the other day was liberal and progressive; and I assure the gentleman that if we follow the speech of the President of the United States, we shall get out of this recession and achieve the prosperity for which we are hoping today.

Mr. BREWSTER. That is the object of what I am trying to say here today. We face this situation with 11,000,000 unemployed, and the question is, How are we going to get out?

The President at various times has urged the necessity of balancing the Budget. The chairman of the Committee on Appropriations of this House is primarily responsible for bringing that to pass. On the basis of the Executive Budget as submitted and on the basis of the supply bills which will be brought in here, all of us will have an opportunity to record ourselves, and before we become too much entangled in the incidental appropriations I hope in these days we may give very careful thought as to how we shall guide our acts. We have in our own hands the responsibility.

In justice to those who share this responsibility with us, may I say that during the past 5 years the President of the United States has not spent one single cent that was not given to him by the Congress of the United States. It seems to me about time to quit seeking an alibi. We are trying to find the reasons for the depression. I enjoy the satirical comments of various administration apologists who try to pin the responsibility on one scapegoat or another, but let us turn to our own responsibility.

The Congress of the United States is the sole power still that can appropriate. We cannot lose sight of the fact we are entering upon this session with 11,000,000 unemployed. With the benefit of all the experiences of the past 5 years to guide us, and with what we know to be the sympathies and aspirations of the gentlemen in control of the Appropriations Committee, I trust that we shall finally decide that the Congress itself is going to exercise its authority and assist all others in authority in balancing the Budget.

You may ask, How can that be done? I have had a brief experience, and in a small way as an executive, and I know how the tree of the executive departments must constantly be pruned. You start with a soldier guard posted at a rose garden planted by the hand of Catherine, and he is there for 300 years, and nobody knows why. Exactly the same thing ramifies through the executive departments of the United States from the Atlantic to the Pacific. The more stringently the Appropriations Committee can guide its pen and its pruning knife, the more nearly we may approach the happy day when the Budget will be balanced and, according to the President, "employment restored."

The gentleman from the Ways and Means Committee who recently addressed me may ask how we are going to get the money and may be reminded of the fact that we face a deficit of a billion dollars, according to the Budget which the President of the United States has recently submitted, with certain contingent items.

It occurs to me that we may very much more appropriately consider using some of our stored gold down in Kentucky that is now sterilized and idle rather than solving that billion-dollar deficit by pilfering funds from the pockets of the poor as is proposed in the Budget we have had submitted to us when it is suggested that the social-security taxes will balance the Budget.

In conclusion, may I say that we are going forward into perhaps the most trying days that we have ever faced—more momentous, in my judgment, than those of 1933. The responsibility for the Budget is very definitely ours. No alibis will serve. The President does not control our actions here. We have the opportunity now to let the country know whether or not the Members of the Congress are functioning as they should in a great crisis. We have the glorious opportunity to answer the searching question of the country, "Are we mice or are we men?" [Applause.]

[Here the gavel fell.]

Mr. WOODRUM. Mr. Chairman, I yield the gentleman from New Jersey [Mr. KENNEY] such time as he may desire.

Mr. KENNEY. Mr. Chairman, the Committee on Interstate and Foreign Commerce of the House of Representatives has had referred to it during the Roosevelt administration legislation of far-reaching importance.

Among the bills considered and reported by the committee and enacted into law by the Congress with the approval of the President are:

SEVENTY-THIRD CONGRESS

Securities Act of 1933: H. R. 5480, Public, 22 (May 27, 1933).

Securities Exchange Act of 1934: H. R. 9323, Public, 291 (June 6, 1934).

Railway Labor Act: H. R. 9861, Public, 442 (June 21, 1934).

Emergency Railroad Transportation Act, 1933: S. 1580, Public, 68 (June 16, 1933).

Communications Act of 1934: S. 3285, Public, 416 (June 19, 1934).

SEVENTY-FOURTH CONGRESS

Petroleum Shipment Regulation Act: S. 1190, Public, 14 (February 22, 1935).

Motor Carrier Act, 1935: S. 1629, Public, 225 (August 9, 1935).

Public Utility Act of 1935: S. 2796, Public, 333 (August 23, 1935).

Rural Electrification Administration Act: S. 3483, Public, 605 (May 20, 1935).

SEVENTY-FIFTH CONGRESS

Railroad Retirement Act of 1937: H. R. 7519, Public, 162 (June 24, 1937).

Another important measure reported by the Committee on Interstate and Foreign Commerce and awaiting action by the House is the bill (S. 1077) to amend the Federal Trade Commission Act. It should and probably will be the first of the committee's bills to come before the House for debate and vote during the present session.

The bill purports to amend the Federal Trade Commission Act by extending its terms to cover unfair or deceptive acts or practices in commerce, and specifically to authorize control of false advertising of foods, drugs, devices, and cosmetics. Under the general provisions of this act against unfair methods of competition, which became law in 1914, the Federal Trade Commission has for many years proceeded against false advertising of these commodities.

As a member of the Committee on Interstate and Foreign Commerce, and having served on the subcommittee which has been considering food, drug, and cosmetic legislation to which this bill is closely related, I have had occasion to make a thorough comparison of the present Federal Trade Commission Act and the history of its enforcement against false advertising of foods, drugs, devices, and cosmetics with the terms of the bill soon to come before the House and the applicability of the new provisions to the problem of false-advertising control. Superficially this bill appears to represent a great forward stride, but on closer examination it is evident that its enactment would provide no substantial increase in the legal authority that has existed since 1914 for the control of this problem. By its enactment this Congress would announce to the country that the Federal Government is being equipped with machinery that will effectively stop false advertising of foods, drugs, devices, and cosmetics, and that consumers will be protected henceforth from the

flagrant abuses that have too often characterized the sale of these commodities, the intelligent purchase and use of which are so essential to public health and welfare.

I am anxious to see Congress make such an announcement to the country; but I submit that the announcement should be backed with a bill that is capable of doing what the public has a right to expect it to do. To meet this expectation the bill has to be amended, as I shall proceed to demonstrate.

Most advertising is truthful. The great bulk of American business advertises its products fairly and honestly. There would be no problem of false advertising and no need for legislation on the subject if there did not exist a small racketeering fringe who observe no code of ethics and who continue their lucrative operations through deception of the people.

If the problem of stopping abuses in false advertising is to be met, it must be through a law that will reach these racketeers. The problem of controlling them is far different from the problem of regulating competitive enterprise between honest business concerns. These unscrupulous advertisers can be stopped only if the law carries effective deterrents to false advertising. The bill as presently written does not carry such deterrents.

Enforcement procedures authorized by the bill are the cease-and-desist order, injunction, and criminal penalties. But criminal penalties are authorized in only two types of cases, and these cover extremely narrow fields. The first is where the commodity falsely advertised may be injurious to health by reason of its inherent toxicity, as was the case with the elixir sulfanilamide which recently caused nearly a hundred deaths. But shocking as such cases are when they arise, they occur with extreme rarity from advertised products. Perhaps not 1 false advertisement in 10,000, or even in 100,000, would fall within this category. And this proportion would be even less if this Congress does what I hope it will do—pass without delay a revised Food and Drugs Act which will stop the marketing of such commodities and thus make it futile to advertise them.

The second and final instance in which this bill provides deterrent penalties is where the false advertisement is disseminated with intent to defraud or mislead. The effect of a false advertisement on the consumer is precisely the same whether the intent of the advertiser is good or bad. The difficulty of proof of wrongful intent and the inadequacy of control where such proof is required have been demonstrated through 25 years of enforcement of the amendment to the Food and Drugs Act applicable to therapeutic statements on the label of patent medicines. This provision, the repeal of which was approved by both Houses during the Seventy-fourth Congress in the bill that failed in conference, requires the Government to prove that curative claims on labels are both false and fraudulent, thus making wrongful intent an element of the offense. Long-drawn-out and expensive investigations have been necessary to acquire evidence of wrongful intent, and in many instances a clever crook has been able so to conceal his intent as to make prosecution an impossibility. These difficulties and the uncertainty of outcome of cases inaugurated under this provision of the bill would therefore result in proceedings being brought ordinarily through the cease-and-desist order or through injunction.

While injunction may be somewhat more speedy in its operation than the cease-and-desist order, both methods of attack against false advertising are about equally futile. Under neither can a penalty be imposed for advertisements disseminated up to the time the order or injunction becomes effective. It is the almost universal practice of advertisers to make frequent changes in copy. If no penalties can be imposed for the initial publications of false advertising, then cease-and-desist order or injunction proceedings are empty gestures, because by the time they become effective the copy has been changed and other representations are being made. And the unscrupulous patent-medicine manufacturer, for example, who has run the gamut of all the false claims he can plausibly make for his product, has only to change the

composition of the article and start the entire process over again.

This criticism is not based upon theoretical considerations, because it is under the cease-and-desist procedure of its present law that the Federal Trade Commission for many years has been proceeding against false advertising. Exhibits have been submitted to the committee, consisting of cease-and-desist orders against certain false advertising and advertisements subsequently appearing over a period of years misrepresenting the same article. The frequency with which false advertisements have been disseminated for products previously covered by cease-and-desist orders, particularly in many of the lower-grade magazines and over certain radio stations, has demonstrated the ineffectiveness of any procedure under which penalties cannot be imposed for the initial violation.

I had hoped that an effective control over advertising by the Federal Trade Commission would be worked out and I am not citing these facts in criticism of the Federal Trade Commission or of its control of advertising or of its personnel or of its diligence in enforcing the law under which it operates. I am merely citing the now demonstrated fact that the procedure under the Federal Trade Commission Act, which will be continued without substantial change under this bill, is not adapted to the control of false advertising.

Advertising is a force which enters every home in this Nation, which intimately affects the health and welfare of all our people. To the extent that advertising is truthful it is a beneficent force. But untruthful advertising is today taking a great toll of public health and welfare. The country was shocked from the recent deaths caused by elixir sulfanilamide. In reporting on this incident, in response to resolutions passed by this Congress, the Secretary of Agriculture observed that it was worthy of note that shocking as such instances have been the actual toll in deaths and permanent injuries from powerful drugs has been probably far less than that resulting from harmless nostrums offered for sale for serious disease. In such cases the Secretary pointed out the harmful effect is not direct but indirect. People who are sick, as the Secretary reported, rely on false curative claims advanced for worthless concoctions, and by so doing permit their disease to progress unchecked; and when they eventually lose faith in the nostrum rational treatment, if sought, may come too late.

This bill carries no provision for the effective control of false advertising of these worthless nostrums.

The committee had before it a horse liniment sold as a tuberculosis cure, a brew of horsetail weed sold as a diabetes cure, and numerous other fake remedies. Testimony was given that many of these nostrums had been responsible for scores, and perhaps hundreds, of deaths as a result of mistaken reliance upon them. The victims of these nostrums outnumber those who are killed by poisonous drugs for which the bill does provide deterrent penalties; and they are just as dead.

Either we have a problem warranting legislation that will substantially increase the Government's authority to deal with these abuses, or the situation is not sufficiently serious to warrant legislation. Personally, I believe that legislation is emphatically necessary. The bill will not meet the necessities as it stands, and I, for one, am unwilling to offer it to the public under the guise of a law that will effectively meet the problem. To do so would deceive the public as seriously as the false advertisements the bill purports to control.

The least that can be done to make the bill a worthy measure, it seems to me, is that when the bill comes up and is read for amendment, we substitute for section 14 (a) in the bill the amendment offered by me in committee and strongly supported there, to wit:

SEC. 14 (a). Any person, partnership, or corporation who violates any provision of section 12 shall forfeit and pay to the United States a civil penalty of not more than \$3,000 for each violation, which shall accrue to the United States and may be recovered in a civil action brought by the United States; but if the use of the commodity advertised may be injurious to health, the civil penalty shall be an amount not more than \$5,000.

(b) If the violation is committed after judgment for a civil penalty under subsection (a) of this section has become final, then such person, partnership, or corporation shall be guilty of a misdemeanor. Upon conviction punishment shall be by a fine of not more than \$5,000 or by imprisonment for not more than 1 year, or by both such fine and imprisonment; but if such conviction is in a case where the use of the commodity advertised may be injurious to health, punishment shall be by a fine of not more than \$10,000 or by imprisonment for not more than 2 years, or by both such fine and imprisonment.

Mr. WOODRUM. Mr. Chairman, I yield 15 minutes to the gentleman from Ohio [Mr. HARLAN].

ON PROPOSED WAR REFERENDUM AMENDMENT

Mr. HARLAN. Mr. Chairman, in view of the disturbing world conditions which exist at the present time, and in view of the sincere and almost prayerful hopes of a great many of our citizens in reference to the proposed Ludlow constitutional amendment providing for a referendum before the declaration of war, I assure you it is with a deep feeling of seriousness that I discuss this subject for a few minutes, and it will be with a deeper feeling of responsibility when the time comes to vote on the question on the 10th of this month.

The presence of this petition before the House raises two subjects for discussion. First, our experience with attempting to legislate by petition and, second, the merit of the Ludlow proposition.

All of us probably have received letters in great number stating that we should sign the petition because, this being a great democracy, all public questions should be brought into this House for discussion. The gentleman from New York [Mr. FISH] a moment ago repeated that very plausible argument. We are told that this body should be an open forum for debate.

Mr. Chairman, this is not a debating society. It is a lawmaking factory, a lawmaking machine. There is no country in the world that has as many forums for public discussion and debate as we have in this country. We have our magazines, our colleges, our newspapers, our radios, and other places. Mr. Chairman, this Congress is an institution for the making of laws and we have somewhat highly paid hard-worked lawmakers here. This is not a place in which we should open for debate hopeless questions that we know can never be enacted into law. The mere fact that there has never been a law passed by this Congress that has come before it by petition would indicate that those in authority and those who know the legislative situation appreciate when there is sufficient support for a bill to have any hope of enactment.

To bring a bill here as the gentleman from New York proposes, and radically amend it on the floor of the House, is utterly absurd. If a committee cannot get a bill in proper form for us to consider and pass, what hope is there for our doing that on the floor where we have no testimony, expert advice, nor evidence. The place to have measures prepared for us is in committee and the place to vote on the propositions and make them into law is on the floor. The floor is not the place to draft a bill.

Mr. McFARLANE. Will the gentleman yield?

Mr. HARLAN. I yield to the gentleman from Texas.

Mr. McFARLANE. As one who signed the Ludlow petition trying to force this legislation before the Congress and keep it from being stifled in the committee, I am just wondering if the gentleman is opposed to hearing this matter discussed on the floor and then voting it up or down according to its merit?

Mr. HARLAN. The gentleman hits the nub of the question. Unless there is a possibility or a probability of a bill's being passed, I am opposed to discussing it here. With all of the open forums, the newspapers, congressional committee hearings, and other places where the question can be debated and the public informed, why should we take up the time of this body to debate a moot question when we have something like 14,000 bills before us for consideration at every session?

Mr. McFARLANE. Does the gentleman know of anything we could debate which would be more important to

this Congress than whether or not we should send our boys to a foreign soil to fight the battles of plutocracy?

Mr. HARLAN. That is a question which is as important as any question which should be debated in the proper places; not here. There is not a ghost of a chance of this resolution being passed. We have never yet passed a bill, brought in by petition, which required the vote of even a majority of the House for its passage, and yet this resolution will require the vote of two-thirds of the Members of the House. Anybody who has any sense at all knows we cannot pass the resolution through the House. Why take all this time and stir up all these emotions? There are plenty of forums in this country which can be used, and we should not use the Congress of the United States as such a forum. Such a system, Mr. Chairman, leads to nothing but demagoguery, both here and at home. We Members of Congress who are presented with requests to sign a petition, by proponents of some bill, may not think there is anything to be lost by complying. Then we get a letter from someone who is opposed to the bill and we say, "Oh, I just signed the petition to encourage debate. I am not really for the bill." In this way we can demagog with impunity.

Mr. BREWSTER. Mr. Chairman, will the gentleman yield?

Mr. HARLAN. I am sorry, I cannot yield.

Mr. BREWSTER. Mr. Chairman, a point of order. Can the gentleman charge signers of the Ludlow petition with demagoguery?

Mr. HARLAN. I certainly do charge some of them with it, but others of them have a great deal of sincerity. The gentleman from Maine will discover when the vote is counted there will not be 218 votes for the resolution, or anything like it.

I do not intend this remark to be criticism of any political parties, but the temptation for the minority party, whether Republican or Democrat, to put the administration on an embarrassing spot by signing these petitions and stirring up emotionally motivated minorities back home is too strong to be resisted. In every case since I have been here, the minority has been most prompt in signing all these petitions.

Sometime ago the gentleman from New York [Mr. FISH] signed the petition in regard to the Frazier-Lemke bill. I had to leave the Congress on an urgent mission out of the city, and got a pair with the gentleman from New York who had also left Washington. I was against the Frazier-Lemke bill and he had signed the petition to bring it out onto the floor. What was my chagrin on reading the newspapers to find that the gentleman from New York had returned and actually made a speech against the Frazier-Lemke bill. We must have political courage and we must have efficiency if we are going to operate a lawmaking body here.

We all know that every bill on which a Congressman is asked to vote causes him the loss of some political support back home no matter how he votes, and to require our Members to be constantly voting on moot questions will almost certainly turn us all into opportunists and minority servers. Instead of weighing the merits of questions, we will be forced into the position of merely figuring how many votes we will gain or lose by our congressional activities.

Now to get to the question involved in the Ludlow resolution. The resolution provides that before war can be declared by Congress, except in cases of invasion of our territory, the question must be submitted to the people for a vote on the specific question, Shall war be declared on ——— country? No machinery is provided either in the proposed amendment or in the Constitution itself whereby the Federal Government can force any State to put this question on the ballot. If we should have a situation similar to that which arose in 1812, when all the New England States were against war with England, the people in certain States would not have an opportunity to vote on the question at all.

The resolution provides an exception only in case of invasion. A foreign power could massacre all our citizens abroad, seize property, drive our ships from the sea, blockade our ports, and in fact, do anything it wanted to do as long

as it did not invade our territory. It is said that some amendments may be inserted, but I am speaking about the resolution we have been asked to bring before the House for consideration. An enemy power could mass its force, bring up its supplies, and keep us from getting war materials for probably 6 months or a year while we were counting the votes. This would be almost fatal to the United States, Mr. Chairman. To conduct a war we must bring in many commodities, including tin, rubber, and manganese.

Under this resolution our ports could be blockaded and our commerce driven out, just as was done by England in 1812, and our seamen seized on the high seas, and we would be twiddling our thumbs while counting the votes. By the time we could get the votes counted it would not make any difference whether or not we declared war, it would all be over. The enemy would be fully supplied and we would be without war necessities. We are to be compelled to wait for invasion before we declare war. The country which is invaded, Mr. Chairman, loses the war no matter who wins the military victory. Look at France and China, and look at every invaded country. Why must we wait to have all our property destroyed, our homes despoiled when war becomes inevitable? Again let us picture a war, possibly with Japan, or let us say with Germany. We hope not, and there is no chance of it now. Then suppose Germany gets an ally such as Italy and Italy comes in to aid Germany in the middle of the war. By Italy's cooperation all the German armies could be released to invade this country or take away our possessions, yet we could not strike at Italy because we would not have the power to declare war until Italy invaded our country, no matter how much help that country had given to the enemy. Or suppose that England or Mexico gets into a war and a foreign power seizes either Canada or Mexico. We, of course, would stand by and whistle while some despotic dictatorship prepared air and navy bases just outside of our borders in order to wipe us out and seize our resources at its convenience.

This plan is just a crazy, dreamy idea, Mr. Chairman, which would ruin democracy and cause us to commit suicide. While our people would be debating a war declaration for 6 months or a year every force of disruption, every form of foreign propaganda would be turned loose on this country, and we could not stop their activities, because we are a democracy. The very things we cherish, our right of free speech and our right to vote, we are using by this resolution to destroy the Government we love. All the forces of evil, these forces of disruption would get together while our popular debate is progressing.

Our prospective enemy would have an open forum and full protection to present all of their propaganda, no matter how false, for the purpose of tearing down our national morale; while we, of course, would be totally excluded from access to the intelligence of the enemy's population where complete censorship would control public information. Any enemy would rather have such a set-up than to win any number of battles. The very specious suggestion was made a moment ago by the gentleman from New York [Mr. FISH] that foreign countries would undoubtedly copy our system of debating war declaration providing we adopt it first. What a crackpot, balmy suggestion that is.

In 1920 we destroyed a part of our fleet as an example to induce other countries to do likewise. Did they do it? From 1920 up to the present time we have built no new battleships and have kept our entire Navy tonnage way below our treaty allowances to induce other countries to do likewise. Did they do it? Even though it would be to their great financial advantage to follow our example. For 150 years we have maintained a country where people had the right of free assembly, free speech, and free ballots. Which one of our prospective and future enemies have followed that example? With that experience, how can anyone be so utterly removed from common sense as to propose that these dictators, who live and thrive on war and the constant threat of war, will follow our example to have popular war referendums. All they will do will be to call us what we would be under the cir-

cumstances—a nation of boobs and saps. The first thing we would have on our hands would be a civil war to keep enemy sympathizers under control while we were getting ready to fight a foreign enemy.

This is one of those proposals that is so hard to argue against because the people who make the proposal mean so well, and as a class are such fine citizens.

This proposal is in a class with prohibition, the Frazier-Lemke bill, the Townsend plan, the parity-price advocates, and the Coughlin currency idea. All of them are measures against some well-recognized evil which we all hate. In fact, this hatred is so innate that in every case a group of individuals in their emotional reactions have completely divorced themselves from rational limitations. The abuse of liquor is an evil that all men of good will detest. Yet, to cure it by making wholesale crime profitable and tearing down democracy makes the cure worse than the disease. The mortgage debt on farmers is a calamity to the Government and we all want to exert every reasonable measure to cure this evil, but to go to the extent of bankrupting the Government to save a part of our people is like chopping a man's head off to cure him of dandruff. Necessitous old age, burdensome taxes, and low prices of farm commodities are all problems we would like to solve providing it can be done within the realm of human reason, but balmy proposals that would most certainly wreck our country to overcome these evils offer no way out to reasonable men. Now, in this Ludlow proposal to stop a war by tying the hands of democracy so that it cannot even defend itself no matter how wrongfully attacked is just another one of these well-meant but terribly unbalanced proposals, and like all the rest, it is being put forth by people of the very best intentions. Someone said that hell is paved with good intentions.

To show the relationship between these ultra progressive idealists, the great majority of letters that I have received on this Ludlow proposal comes from people who a few years ago were advocating prohibition. At that time they were telling us that individual human beings should be forced, by fear of punishment, into making morale decisions and into observing law. Now they tell us, in their campaign to obliterate war, that nations who are after all merely groups of these same human individuals will make just morale decisions when all fear of force and punishment is removed. The reasoning, if any, follows exactly opposite lines on these two great questions. Individuals are to be made good by force; nations are to be made good by removing force. There is another common character in the advocates of all of these proposals, whether prohibition, Townsendism, Coughlinism, or pacifism; they openly charge everyone who disagrees with their method of being in favor of the evil which they would cure.

The gentleman from Indiana [Mr. LUDLOW] is about the most lovable character we have in this House. Everybody likes him. He would not do a thing intentionally to harm this country; neither would the man who proposed the Townsend bill, nor the man who proposed the Coughlin idea or the Frazier-Lemke bill, or any other of those queer notions designed to appeal to the emotions of small blocs of people. [Here the gavel fell.]

Mr. WOODRUM. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. HARLAN. Mr. Chairman, there is no trouble in this world between the democracies. There is no prospective war between democracies. The trouble is between the totalitarian governments and democracies. The totalitarian governments can operate instantly, efficiently, and powerfully. We love democracy, and we are taking this one step to prevent us from acting in our own defense against totalitarian governments—the ones we fear most.

This proposal, in its nature, cannot change anything. A democracy does not go to war until popular sentiment is overwhelmingly crystallized and the Congress is forced into it. Do you not recall the World War and how they ridiculed President Wilson, characterizing him as crawling under the bed in fear of burglars because he said he was too proud to

fight? Look at the Spanish-American War and recall what they did with President McKinley. Oh, the gentleman has said that such public sentiment is made by propaganda of the munition makers. Granted that it is, but the Ludlow procedure will not change that propaganda nor the popular desire for war produced by that propaganda. All that the referendum procedure will do will be to formally vote on what the people have already demanded. In every conflict we have wanted war. The people were almost unanimously for every war that ever happened and if you submitted it to a direct vote of the people the same result would be obtained as if the Congress voted for war.

Mr. LUECKE of Michigan. Mr. Chairman, will the gentleman yield?

Mr. HARLAN. I wish I could yield, but I have only a little time.

This resolution will not change propaganda. It will not change the result on the declaration of war, but it will force us to fight the war on our own ground every time, where our destruction will be worse than if we lost the war in the first place. It will give the enemy the constant offensive which is a tremendous asset.

Now, what effect would this constitutional amendment have right now, because we might just as well admit the situation? Nobody wants to go to war over in China, and I will be about the last man in this House to vote for such a war, but why did Japan sink the *Panay*? It was not because she wanted war with us. Certainly that would not help her any just now, yet the sinking was done most deliberately—there is no question about that.

All of the evidence shows it was a deliberate attack and murder, and she did it just to convince the Chinese people that no matter how much of an insult was given the United States we would not go to their help. Just a day or so before this murder was committed Japan dropped dodgers back of the Chinese lines, telling the Chinese, "England cannot come to your aid; the United States won't come to your aid; you had better lean on us, your only friend." The sinking of the *Panay* was the way she demonstrated to the people in China that the things she had said were true. Neither Japan nor any other country would sink a warship or destroy property of a friendly country unless there was a purpose behind it. If we pass this legislation we will simply play into the hands of the Japanese and say, not only to China but to the world, "You can sink not only the *Panay*, you can sink every vessel we have afloat and we will not go to war. There is no injustice, no crime, no possible despoiling of one of our friendly neighbors that will induce us to do anything to help an innocent people." What would you think of a man in a neighborhood who said to his neighbors, "Burglars may come into your house at night, your home may be despoiled, but I, your neighbor, no matter how helpless you are, no matter how just your cause, no matter how piratical the attack, will stay at home."

Will that kind of cowardice announced to the world ever help the cause of humanity or civilization? I say not. [Applause.]

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. WOODRUM. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. LANHAM, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill H. R. 8837, the independent offices appropriation bill, and had come to no resolution thereon.

RESIGNATION FROM A COMMITTEE

The SPEAKER laid before the House the following resignation.

The Clerk read as follows:

JANUARY 6, 1938.

HON. WILLIAM B. BANKHEAD,
Speaker of the House of Representatives,
Washington, D. C.

DEAR MR. SPEAKER: I hereby tender my resignation as a member of the Committee on Printing.

Respectfully,

WILLIAM B. BARRY.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. CARTER on account of important business.

EXTENSION OF REMARKS

Mr. HOOK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an excerpt from the *Agriculturalist*.

The SPEAKER. Is there objection?

There was no objection.

Mr. WIGGLESWORTH. Mr. Speaker, I ask unanimous consent to extend the remarks I made this afternoon by including two tables prepared by the Communications Commission and a few quotations from the hearings.

The SPEAKER. Is there objection?

There was no objection.

ORDER OF BUSINESS

Mr. WOODRUM. Mr. Speaker, I ask unanimous consent that when the House resumes consideration of the independent offices appropriation bill tomorrow, general debate upon the bill shall continue during the session tomorrow, the time to be equally divided between the gentleman from Massachusetts [Mr. WIGGLESWORTH] and myself, and that that shall conclude all the general debate with the exception of one speech by the gentleman from Massachusetts and one speech by me, as chairman of the subcommittee, upon the bill.

The SPEAKER. Is there objection?

There was no objection.

ENROLLED BILLS SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 4256. An act conferring jurisdiction on the United States District Court for the Northern District of California to hear, determine, and render judgment upon the suit in equity of Theodore Fieldbrave against the United States;

H. R. 4569. An act for the relief of Isador Katz;

H. R. 5639. An act for the relief of Henrietta Wills;

H. R. 5768. An act for the relief of Mary Louise Chambers, a minor;

H. R. 5912. An act for the relief of Judd & Detweiler, Inc.;

H. R. 5989. An act for the relief of J. L. Myers;

H. R. 6628. An act to permit the further extension of the Air Mail Service; and

H. R. 7415. An act to increase the rates of pay for charmen and charwomen in the custodial service of the Post Office Department.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1485. An act to prohibit the making of photographs, sketches, or maps of vital military and naval defensive installations and equipment, and for other purposes; and

S. 2575. An act to increase the efficiency of the Coast Guard.

BILLS PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 4256. An act conferring jurisdiction on the United States District Court for the Northern District of California

to hear, determine, and render judgment upon the suit in equity of Theodore Fieldbrave against the United States;

H. R. 4569. An act for the relief of Isador Katz;

H. R. 5639. An act for the relief of Henrietta Wills;

H. R. 5768. An act for the relief of Mary Louise Chambers, a minor;

H. R. 5912. An act for the relief of Judd & Detweiler, Inc.;

H. R. 5989. An act for the relief of J. L. Myers;

H. R. 6628. An act to permit the further extension of the Air Mail Service; and

H. R. 7415. An act to increase the rates of pay for charmen and charwomen in the custodial service of the Post Office Department.

ADJOURNMENT

Mr. WOODRUM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 20 minutes p. m.) the House adjourned until tomorrow, Friday, January 7, 1938, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m. Tuesday, January 11, 1938. Business to be considered: Hearing on S. 69, train-lengths bill.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold public hearings on H. R. 8532, to amend the Merchant Marine Act of 1936, and for other purposes, Tuesday, January 11, 1938, at 10 a. m.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization in room 445, House Office Building, at 10:30 a. m., on Wednesday, January 12, 1938, for the public consideration of H. R. 8711 and H. R. 7369.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

960. A letter from the Secretary of War, transmitting the annual report of the sale of war supplies; to the Committee on Expenditures in the Executive Departments.

961. A letter from the Chairman, Federal Communications Commission, transmitting a report without recommendations as to legislation relative to the necessity of new wire or radio communication; to the Committee on Merchant Marine and Fisheries.

962. A letter from the Acting Secretary of the Interior, transmitting one copy of legislation passed by the Municipal Council of St. Croix at a meeting held November 10, 1937, and approved by the Governor of the Virgin Islands; to the Committee on Insular Affairs.

963. A letter from the Attorney General of the United States, transmitting a statement of expenditures under appropriations for the United States Court of Customs and Patent Appeals for the fiscal year ended June 30, 1937; to the Committee on Expenditures in the Executive Departments.

964. A letter from the Administrator, Federal Alcohol Administration Division, transmitting the Third Report of the Federal Alcohol Administration; to the Committee on Ways and Means.

965. A letter from the Secretary of War, transmitting the annual report of the activities of the National Board for the Promotion of Rifle Practice, for the fiscal year 1937; to the Committee on Military Affairs.

966. A letter from the Chairman, National Labor Relations Board, transmitting the Second Annual Report of the National Labor Relations Board for the fiscal year ending June 30, 1937, together with volume II of the decisions of the National Labor Relations Board and a list of personnel employed by the Board; to the Committee on Labor.

967. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the legislative establishment, House of Representatives, for the fiscal year 1938 in the sum of \$6,500 (H. Doc. No. 468); to the Committee on Appropriations and ordered to be printed.

968. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the legislative establishment, House of Representatives, for the fiscal year 1938, amounting to \$5,000 (H. Doc. No. 469); to the Committee on Appropriations and ordered to be printed.

969. A letter from the Chairman of the Reconstruction Finance Corporation, transmitting the report of its activities and expenditures for the month of November 1937 (H. Doc. No. 471); to the Committee on Banking and Currency and ordered to be printed.

970. A letter from the Acting Secretary of the Treasury, transmitting a combined statement of the receipts and expenditures, balances, etc., of the Government during the fiscal year ended June 30, 1937; to the Committee on Expenditures in the Executive Departments.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. WOODRUM: Committee on Appropriations. H. R. 8837. A bill making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1939, and for other purposes; without amendment (Rept. No. 1662). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WOODRUM: A bill (H. R. 8837) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1939, and for other purposes; to the Committee on Appropriations.

By Mr. CARTWRIGHT: A bill (H. R. 8838) to amend the Federal Aid Highway Act, approved July 11, 1916, as amended and supplemented, and for other purposes; to the Committee on Roads.

By Mr. BLAND: A bill (H. R. 8839) to amend laws for preventing collisions of vessels, to regulate equipment of motorboats on the navigable waters of the United States, to regulate inspection and manning of certain motorboats which are not used exclusively for pleasure and those which are not engaged exclusively in the fisheries on inland waters of the United States, and for other purposes; to the Committee on Merchant Marine and Fisheries.

Also, a bill (H. R. 8840) to amend section 6 of the act approved May 27, 1936 (49 Stat. L. 1380); to the Committee on Merchant Marine and Fisheries.

By Mr. CLARK of North Carolina: A bill (H. R. 8841) to amend an act entitled "An act authorizing the Secretary of the Treasury to convey to the board of education of New Hanover County, N. C., a portion of the marine hospital reservation not needed for marine hospital purposes," approved July 10, 1912, and being Public Law No. 221 (S. 6603); to the Committee on Public Buildings and Grounds.

By Mr. CULKIN: A bill (H. R. 8842) to authorize a preliminary examination and survey of Chittenango Creek and its tributaries, New York, with a view to the control of its floods; to the Committee on Flood Control.

By Mr. MAAS: A bill (H. R. 8843) to promote the efficiency of the Navy by establishing a general staff of the Navy, and for other purposes; to the Committee on Naval Affairs.

By Mr. MAY (by request): A bill (H. R. 8844) to provide for the exchange of land in the Territory of Alaska; to the Committee on Military Affairs.

By Mr. MOTT: A bill (H. R. 8845) providing for the examination and survey of North Slough and vicinity, Oregon; to the Committee on Rivers and Harbors.

By Mr. PIERCE: A bill (H. R. 8846) to provide for the free importation of flax scutching machinery; to the Committee on Ways and Means.

Also, a bill (H. R. 8847) to provide for the acquisition of certain lands for and the addition thereof to the Deschutes National Forest, in the State of Oregon; to the Committee on Agriculture.

By Mr. SATTERFIELD: A bill (H. R. 8848) to confer jurisdiction upon United States commissioners to try certain criminal cases, and to provide for their annual compensation; to the Committee on the Judiciary.

By Mr. SHEPPARD: A bill (H. R. 8849) validating a certain conveyance, heretofore made by the Southern Pacific Railroad Co., a corporation, and its lessee, Southern Pacific Co., a corporation, involving certain portions of right-of-way in the town of Indio, in the county of Riverside, State of California, acquired under the act of Congress approved July 1, 1862 (12 Stat. L. 489), as amended by the act of Congress approved July 2, 1864 (13 Stat. L. 356); to the Committee on the Public Lands.

By Mr. WILCOX: A bill (H. R. 8850) authorizing the appointment of two additional circuit judges for the fifth circuit; to the Committee on the Judiciary.

Also, a bill (H. R. 8851) authorizing the appointment of an additional district judge for the southern district of Florida; to the Committee on the Judiciary.

By Mr. BEVERLY M. VINCENT: A bill (H. R. 8852) to provide for the establishment of a commissary or vending stand in the Washington Asylum and Jail; to the Committee on the District of Columbia.

By Mr. WALTER: A bill (H. R. 8853) to repeal section 2 of the act of June 24, 1936, authorizing the appointment of an additional circuit judge for the third circuit; to the Committee on the Judiciary.

Also, a bill (H. R. 8854) to repeal section 2 of the act of June 16, 1936, authorizing the appointment of an additional district judge for the eastern district of Pennsylvania; to the Committee on the Judiciary.

By Mr. TOBEY: Resolution (H. Res. 394) directing the Speaker of the House of Representatives to appoint a select committee of the House to investigate and report on the activities of the United States Constitution Sesquicentennial Commission and the United States George Washington Bicentennial Commission; to the Committee on Rules.

By Mr. SUMNERS of Texas: Resolution (H. Res. 395) authorizing the printing of additional copies of the Rules of Civil Procedure for the District Courts of the United States for the House document room; to the Committee on Printing.

By Mr. SIROVICH: Joint resolution (H. J. Res. 552) calling upon Franklin Delano Roosevelt to intercede in the name of humanity against the shameful treatment accorded by the Rumanian Government to its religious and racial minorities, and, failing to receive adequate satisfaction, to bring about the severance of diplomatic relations between the Government of the United States and the Kingdom of Rumania; to the Committee on Foreign Affairs.

By Mr. ASHBROOK: Joint resolution (H. J. Res. 553) proposing an amendment to the Constitution relating to the power of the Congress to declare war; to the Committee on the Judiciary.

By Mr. CANNON of Missouri: Joint resolution (H. J. Res. 554) to clarify the provisions of law relating to the making of loans for crop production and harvesting; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CARLSON: A bill (H. R. 8855) for the relief of Maj. Wilbur Rogers; to the Committee on Claims.

By Mr. CONNERY: A bill (H. R. 8856) to entitle Effie Canning Carlton now to file with the Register of Copyrights a corrected application for renewal of copyright of her musical composition entitled "Rock-a-Bye Baby"; to the Committee on Patents.

By Mr. DIXON: A bill (H. R. 8857) granting a pension to Charles C. Keepers; to the Committee on Invalid Pensions.

By Mr. LANZETTA: A bill (H. R. 8858) for the relief of Joseph Brum and Gussie Brum; to the Committee on Immigration and Naturalization.

By Mr. MAGNUSON: A bill (H. R. 8859) for the relief of Charles R. Randall; to the Committee on Pensions.

By Mr. MITCHELL of Tennessee: A bill (H. R. 8860) for the relief of Jesse Stokes Bowling, Jr.; to the Committee on Claims.

By Mr. NELSON: A bill (H. R. 8861) for the relief of the A. P. Carr Motor Co., California, Mo.; to the Committee on Claims.

By Mr. O'TOOLE: A bill (H. R. 8862) to authorize the President of the United States to present in the name of Congress a Medal of Honor to the officers and enlisted personnel of the U. S. S. *Panay*, including Capt. F. N. Roberts, of the United States Army; to the Committee on Naval Affairs.

Also, a bill (H. R. 8863) authorizing the President of the United States to present in the name of Congress a medal of honor to Commander Albert Moritz; to the Committee on Naval Affairs.

By Mr. SATTERFIELD: A bill (H. R. 8864) authorizing the appointment and retirement of Robert W. Moss as a lieutenant (junior grade), Dental Corps, United States Navy; to the Committee on Naval Affairs.

Also, a bill (H. R. 8865) for the relief of the dependents of late Lt. Robert E. Van Meter, United States Navy; to the Committee on Naval Affairs.

By Mr. SCOTT: A bill (H. R. 8866) for the relief of William F. Satchell; to the Committee on Military Affairs.

By Mr. SHANNON: A bill (H. R. 8867) granting an increase of pension to Mary E. Bridges; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8868) granting a pension to Lena S. Ricketts; to the Committee on Invalid Pensions.

By Mr. SIROVICH: A bill (H. R. 8869) for the relief of Alfonsina Maurina Corradini; to the Committee on Immigration and Naturalization.

By Mr. TAYLOR of Tennessee: A bill (H. R. 8870) granting a pension to Rufus Harvey Grant; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3725. By Mr. COFFEE of Washington: Resolution of the American Newspaper Guild, expressing warm appreciation of the value of the arts and professional workers of the Works Progress Administration and of their worth in the dissemination of culture, and therefore urging strongly the establishment of a permanent Bureau of Fine Arts, and endorsing unanimously House bill 8239, introduced by Mr. COFFEE of Washington, and urging the Congress to take prompt favorable action thereon; to the Committee on Education.

3726. By Mr. CLASON: Petition of John J. Smith and others, of Springfield, Mass.; to the Committee on Banking and Currency.

3727. By Mr. CURLEY: Petition of the Interdepartmental Local No. 21, United Federal Workers, endorsing the McCormack-Logan bill establishing a 5-day week; to the Committee on the Civil Service.

3728. Also, petition of the New York County Lawyers' Association, endorsing House bill 8306, introduced by Congressman MARTIN of Colorado, to regulate interstate commerce in the products of child labor, and for other purposes; to the Committee on Interstate and Foreign Commerce.

3729. By Mr. DELANEY: Petition of the Filipino Labor Rehabilitation League, of Brooklyn, N. Y., petitioning the

Government of the United States of America to confer the rights and duties of citizenship upon those people of Filipino birth who can qualify in the same manner as the peoples of other lands who are afforded the opportunity of becoming citizens of the United States; to the Committee on Foreign Affairs.

3730. By Mr. JARRETT: Petition of the Young Women's Bible Class, the Men's Bible Class, and Young Men's Bible Class of the First Methodist Episcopal Church of Warren, Pa., endorsing the Ludlow amendment; to the Committee on the Judiciary.

3731. Also, petition of citizens of Sharon, Pa., endorsing the peace amendment, or Ludlow amendment; to the Committee on the Judiciary.

3732. Also, petition of members of the Berea Evangelical Lutheran Church of Freehold Township, Warren County, Pa., endorsing the Ludlow amendment; to the Committee on the Judiciary.

3733. By Mr. LUTHER A. JOHNSON: Petition of the Corsicana Nature Study Club, Mrs. J. E. McClung, corresponding secretary, opposing Senate bill 2970, empowering the President to transfer the National Forest Service, Soil Conservation Service, and the Biological Survey from the Department of Agriculture to the Department of the Interior; to the Select Committee on Government Organization.

3734. Also, petition of R. T. Keirse, of Easterly, Tex., favoring increased pay for enlisted men in the Army; to the Committee on Military Affairs.

3735. By Mr. KRAMER: Resolution of the Board of Supervisors of the County of Los Angeles, State of California, pertaining to granting Federal aid for flood control, etc.; to the Committee on Appropriations.

3736. By Mr. O'NEILL of New Jersey: Petition of the Lightfoot Schultz Co., protesting against any tax on toilet soap; to the Committee on Ways and Means.

3737. Also, petition of the Jersey Match Co., protesting against discriminatory tax; to the Committee on Ways and Means.

3738. By Mr. RUTHERFORD: Petition of residents of Susquehanna County, Pa., favoring House Joint Resolution 199; to the Committee on the Judiciary.

3739. By Mr. SANDERS: Petition of citizens of Athens and Overton, Tex., protesting against the entrance of the United States into any foreign wars; to the Committee on Foreign Affairs.

3740. By Mr. THURSTON: Petition of citizens of Sigourney, Iowa, protesting against the levying of excise or processing taxes on primary food products; to the Committee on Ways and Means.

SENATE

FRIDAY, JANUARY 7, 1938

(Legislative day of Wednesday, January 5, 1938)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

ELMER THOMAS, a Senator from the State of Oklahoma, appeared in his seat today.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

THE JOURNAL

Mr. BARKLEY. I ask unanimous consent that the Journal of the proceedings of yesterday be approved without reading.

The VICE PRESIDENT. Without objection—

Mr. CONNALLY. I object.

The VICE PRESIDENT. The question is on the amendment, as modified, offered by the Senator from Illinois [Mr. LEWIS] to the amendment reported by the committee to House bill 1507.

Mr. CONNALLY. Mr. President, I inquire what became of the reading of the Journal?

The VICE PRESIDENT. The Journal does not have to be read, the Senate having taken a recess last evening.

CALL OF THE ROLL

Mr. CONNALLY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Donahey	Lodge	Schwartz
Ashurst	Duffy	Logan	Schwellenbach
Bailey	Ellender	Loneragan	Sheppard
Bankhead	Frazier	Lundeen	Shipstead
Barkley	George	McAdoo	Smathers
Berry	Gibson	McCarran	Smith
Borah	Gillette	McGill	Steiwer
Bridges	Glass	McKellar	Thomas, Okla.
Brown, Mich.	Graves	McNary	Thomas, Utah
Bulkeley	Guffey	Miller	Townsend
Bulow	Harrison	Minton	Truman
Byrd	Hatch	Murray	Tydings
Byrnes	Hayden	Neely	Vandenberg
Capper	Herring	Norris	Van Nuys
Caraway	Hitchcock	O'Mahoney	Wagner
Chavez	Holt	Overton	Walsh
Connally	Johnson, Colo.	Pittman	Wheeler
Copeland	King	Pope	
Davis	La Follette	Reynolds	
Dieterich	La Follette	Russell	

Mr. LEWIS. I announce that the Senator from Rhode Island [Mr. GREEN] and the Senator from Delaware [Mr. HUGHES] are absent because of illness.

The Senator from Maryland [Mr. RADCLIFFE] is absent because of a death in his family.

The Senator from Nebraska [Mr. BURKE] is absent on official business as a member of the committee appointed to investigate certain conditions in Puerto Rico.

The Senator from Florida [Mr. ANDREWS], the Senator from Mississippi [Mr. BILBO], the Senator from Washington [Mr. BONE], the Senator from New Hampshire [Mr. BROWN], the Senator from Missouri [Mr. CLARK], the Senator from Oklahoma [Mr. LEE], the Senator from Connecticut [Mr. MALONEY], and the Senator from New Jersey [Mr. MOORE] are unavoidably detained from the Senate.

Mr. GIBSON. I announce that my colleague the senior Senator from Vermont [Mr. AUSTIN] is necessarily absent on official business by reason of service on a subcommittee of the Judiciary Committee of the Senate. I ask that this announcement stand for all quorum calls during the day.

The VICE PRESIDENT. Seventy-seven Senators have answered to their names. A quorum is present.

REPORT OF SOCIAL SECURITY BOARD

The VICE PRESIDENT laid before the Senate a letter from the Executive Director of the Social Security Board, transmitting, pursuant to law, the annual report of the Board for the fiscal year ended June 30, 1937, which, with the accompanying report, was referred to the Committee on Finance.

OFFICIAL INSPECTION OF VEHICLES

The VICE PRESIDENT laid before the Senate a letter from the Secretary of Agriculture, transmitting, pursuant to law, a report entitled "Official Inspection of Vehicles," which, with the accompanying papers, was referred to the Committee on Post Offices and Post Roads.

SKILLED INVESTIGATION AT SCENE OF ACCIDENT

The VICE PRESIDENT laid before the Senate a letter from the Secretary of Agriculture, transmitting, pursuant to law, a report entitled "Skilled Investigation at the Scene of the Accident Needed to Develop Causes," which, with the accompanying papers, was referred to the Committee on Post Offices and Post Roads.

REPORT OF UNITED STATES EMPLOYEES' COMPENSATION COMMISSION

The VICE PRESIDENT laid before the Senate a letter from the secretary of the United States Employees' Compensation Commission, transmitting, pursuant to law, the annual report of the Commission for the fiscal year ended June 30,